



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 14th July, 2016/23rd Asad., 1938. [No. 15

CONTENTS	English Pages	Vernacu- lar pages
PART I-A— Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers	166-182	
PART I-B— Notifications, Communiques and General Orders by the Government and the Ministers	193-202	
PART II-A— Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments....	29-30	
PART II- B— Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule	209-226	
PART II-C— Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal		
PART III- Laws, Regulations and Rules passed thereunder		
PART IV— Reprints from the Government of India Gazette or Gazettes of others Governments....		
PART V— Information and Statistics (a) Rates and prices in the State.... (b) Rates and wages (c) Crop Report and Forecasts (d) Weather Observations (e) Vital Statistics		
SUPPLEMENT-A—Trade Monthly Imports and Exports from the State		
SUPPLEMENT-B—Police		
SUPPLEMENT-C—Advertisements	75-78	57-60

Printed at the Government Press, Srinagar.

PART I-A

Jammu & Kashmir Government–Orders

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU.

Notification

No. 952 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Saira Parveen D/o Mr. Abdul Qayoom R/o Yourtang, Leh (Siachen Guest House) vide Notification No. 529 dated 13-10-2014 for a period of one year has been extended till 13-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 953 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Shafaq D/o Peer Mushtaq Ahmad R/o Doctors Lane, Iqbal Colony, HMT, Zainakote, Srinagar vide Notification No. 520 dated 13-10-2014 for a period of one year has been extended till 13-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 954 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Syed Tehsin-ul-Haq S/o Syed Zakir Hussain R/o Kalihand, A/P Arnora, Tehsil Doda, District Doda vide Notification No. 517 dated 13-10-2014 for a period of one year has been extended till 13-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 955 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Wajid Nabi Wani S/o Mr. Ghulam Nabi Wani R/o Murran (Ganie Mohalla), District Pulwama vide Notification No. 658 dated 17-10-2014 for a period of one year has been extended till 17-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 956 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Nissar Ahmad Ganie S/o Mr. Habib Ullah Ganie R/o Kamrazi Pora, Pulwama vide Notification No. 816 dated 17-12-2013 for a period of one year has been extended till 17-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 957 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Tahier Mohamood Aftab S/o Mr. Freed-ul-Rehman R/o Village Shiendara, Mohalla Garan, Tehsil Haveli, District Poonch vide Notification No. 504 dated 13-10-2014 for a period of one year has been extended till 13-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 958 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Sonal Vaid S/o Mr. Jugal Kishore R/o Ward No. 11, Vijaypur, Samba vide Notification No. 342 dated 14-07-2014 for a period of one year has been extended till 14-07-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 959 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Basharat Majid Khandy S/o Mr. Abdul Majid Khandy R/o Peer Bagh, Green Avenue, Sector-B, H. No. 32, Hyderpora, South, Srinagar vide Notification No. 820 dated 17-12-2013 for a period of one year has been extended till 17-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 960 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Jigmet Gyatso S/o Mr. Mipham Kunkhyab R/o Nyoma, Kungyam, Leh vide Notification No. 523 dated 06-09-2013 for a period of one year has been extended till 06-09-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 961 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Raj Kumar S/o Mr. Narinder Dass R/o Chak Manga, Rukwal, Samba vide Notification No. 890 dated 22-12-2014 for a period of one year has been extended till 22-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 962 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Imtiyaz Yousuf Kochey S/o Mr. Mohd Yousuf Kochey R/o Banderpora, Kakapora, P/O Gozipora, Kochey Mohalla, Banderpora, Pulwama vide Notification No. 916 dated 23-12-2014 for a period of one year has been extended till 23-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 963 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Yassar Mushtaq S/o Mr. Mushtaq Ahmed R/o Maitra Chandrog, Tehsil and District Ramban, A/P Dalpatian, Peer Mitha, Jammu vide Notification No. 544 dated 13-10-2014 for a period of one year has been extended till 13-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 964 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Karun Raina S/o Mr. Kulbushan Raina R/o Plot No. 153, Phase-IIInd, Housing Colony, Udampur vide Notification No. 934 dated 23-12-2014 for a period of one year has been extended till 23-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 965 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Sumaya Khaliq D/o Mr. Ab. Khaliq R/o Keller (Khan Mohalla), Shopian vide Notification No. 489 dated 13-10-2014 for a period of one year has been extended till 13-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 966 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Bhumica Sharma D/o Mr. Rakesh Sharma R/o Ward No. 111, House No. 80, Saraswati Nagar, Reasi vide Notification No. 941 dated 23-12-2014 for a period of one year has been extended till 23-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 967 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Pawan Honda S/o Mr. Mohinder Pal Honda R/o Ward No. 14, House No. 110, Dhar Road, Udampur vide Notification No. 297 dated 23-05-2014 for a period of one year has been extended till 23-05-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 969 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Yash Pal S/o Mr. M. R. Sharma R/o/P/O Shama Chak, Jammu Tawi vide Notification No. 904 dated 10-01-2014 for a period of one year has been extended till 10-01-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 970 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Balbir Singh S/o Mr. Kamal Singh R/o Supwal, Tehsil Samba, District Samba vide Notification No. 903 dated 23-12-2014 for a period of one year has been extended till 23-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 971 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Kuljit Kour D/o Mr. Gurjit Singh R/o H. No. 81, Sector-6, Modal Town, Digiana, Jammu vide Notification No. 1115 dated 19-03-2014 for a period of one year has been extended till 19-03-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 972 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Bhanu Partap Singh S/o Mr. Bal Raj Singh R/o W. No. 15, Near RMC School, Patel Nagar, Kathua vide Notification No. 279 dated 23-05-2014 for a period of one year has been extended till 23-05-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 973 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Mohd Farooq S/o Mr. Abdul Rehman R/o Village Kanooyain, Bilal Colony, Poonch vide Notification No. 868 dated 09-01-2014 for a period of one year has been extended till 09-01-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 974 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Ankita Sambyal D/o Mr. Bhagwan Singh Sambyal R/o Mandi Sangwati, Samba vide Notification No. 371 dated 14-07-2014 for a period of one year has been extended till 14-07-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 975 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Akshi Seth D/o Mr. Ashok Seth R/o Village RPO, Domana Machine, Jammu vide Notification No. 291 dated 23-05-2014 for a period of one year has been extended till 23-05-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 976 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Syed Shafat Hussain S/o Syed Murtza Ali R/o Mirgund, Budgam vide Notification No. 580 dated 20-09-2013 for a period of one year has been extended till 20-09-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 977 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Muzaffar Ahmad Bhat S/o Mr. Gh. Mohammad Bhat R/o Dirhama Mattan, Tehsil Pahalgam, District Anantnag vide Notification No. 576 dated 15-10-2014 for a period of one year has been extended till 15-10-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 978 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Itee Sharma D/o Mr. Tripen Sharma R/o Patti, P/O Rahya Vijaypur, Samba vide Notification No. 402 dated 04-09-2013 for a period of one year has been extended till 04-09-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 979 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Waseem Ahmad Bhat S/o Mr. Abdul Rashid Bhat R/o Palnoo, Panditpora, Kulgam vide Notification No. 868 dated 19-12-2014 for a period of one year has been extended till 19-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 1005 Dated 20-02-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Muzafar Ahmad Dar S/o Mr. Gulam Nabi Dar R/o Chewa Khurad, Pulwama vide Notification No. 1140 dated 23-02-2015 for a period of one year has been extended till 23-02-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

(Sd.) G. M. PARRAY,

Joint Registrar (Admn.).

Notification

No. 935 Dated 17-02-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Zaffar Iqbal S/o Mr. Fazal Ahmad R/o Dhamni, 972, JMC, Gujjar Nagar, Jammu vide Notification No. 1372 dated 30-03-2015 has been declared as absolute/final.

By order.

Notification

No. 1066 Dated 16-03-2016.

It is hereby notified that vide High Court Order dated 15-03-2016 Mr. Altaf Ahmad Lone S/o Mr. Assad Ullah Lone R/o Fateh Pora, Lone Mohalla, Ganderbal has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the

verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-113/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 1067 Dated 17-03-2016.

It is hereby notified that vide High Court Order dated 15-03-2016 Mr. Parvez Ahmed Malik S/o Mr. Abdul Latif Malik R/o H. No. 5, Lane 15, Tawi Vihar Colony, Sidhra, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-143/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 71 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Aadil Saleem Bandh S/o Mr. Mohammad Saleem Bandh R/o Chachkoot, Awantipora, Pulwama vide Notification No. 786 dated 15-11-2011

for a period of one year has been extended till 14-11-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 72 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Hakim Mudasir Rasool S/o Mr. Gh. Rasool R/o Panzgam, Kandripora, Pulwama vide Notification No. 704 dated 31-12-2012 for a period of one year has been extended till 31-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 73 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Mohd Imran Bhat S/o Mr. Mohd Bashir Bhat R/o Ward No. 1, Shiv Nagar, Nowshera, Rajouri vide Notification No. 882 dated 10-01-2014 for a period of one year has been extended till 10-01-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 74 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Umar Javeed S/o Mr. Javeed Ahmad Waza R/o Goriwan, Bijbehara, Anantnag vide Notification No. 869 dated 19-12-2014 for a period of one year has been extended till 15-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 75 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Amjad Hassan Wani S/o Mr. Ghulam Hassan Wani R/o Baripora, Handwara, Kupwara vide Notification No. 221 dated 24-01-2005 for a period of one year has been extended till 24-01-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 76 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Musaver Ahmad Shah S/o Mr. Mohammad Shahie Jahan Shah R/o Janbazpora, Muslimabad, Baramulla vide Notification No. 510 dated 13-10-2014 for a period of one year has been extended till 03-09-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 77 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Quisar Makeen S/o Mr. Mohd Makeen Bhat R/o Katrasoo Kulgam, A/P Gousiya Colony, Kulgam vide Notification No. 514 dated 13-10-2014 for a period of one year has been extended till 03-09-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 68 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Manzoor Ahmad Wani S/o Mr. Abdul Gani Wani R/o Dhamhal Hanjipora, Kulgam vide Notification No. 1121 dated 21-02-2015 for a period of one year has been extended till 20-02-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 69 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Afaq Ali Malik S/o Mr. Ali Mohammad Malik R/o Habbar, Tehsil Khag, District Budgam vide Notification No. 977 dated 13-03-2014 for a period of one year has been extended till 13-02-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 70 Dated 16-04-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Neeraj Kumar S/o Mr. Joginder Kumar R/o Raipur, Bantalab, Jammu vide Notification No. 897 dated 23-12-2014 for a period of one year has been extended till 15-12-2016 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

(Sd.) MOHAMMAD YASIN BEIGH,

Joint Registrar (Admn.).



THE JAMMU AND KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 14th July, 2016/23rd Asad., 1938. [No. 15

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 12-Rev (LAK) of 2016

Dated 15-02-2016.

Whereas, the land, specifications whereof are given in Annexure “A” to this notification is required for public purposes i. e. for construction of Slip Roads and Loops for smooth flow of traffic at the intersection in Estate Lasjan, Tehsil South (NHA1 By-Pass), Phase-II, District Srinagar ; and

Whereas, vide Notification No. 22-RD of 2013 dated 20-06-2013, declaration under sections 6&7 and notification under section 17 of the Land Acquisition Act was issued for land measuring 293 Kanals 17 Marlas and 04 Sirsai in Estate Lasjan, Tehsil (South), Srinagar for construction of Slip Roads and Loops for smooth flow of traffic ; and

Whereas, due to non-deposit of requisite funds by the Indenting Department with the concerned Collector, 80% compensation could not be made to the rightful claimants under section 17-A of the Land Acquisition Act, and possession was not taken over within the stipulated period, with the result the proceedings initiated earlier lapsed ; and

Whereas, having the earlier acquisition proceedings lapsed, a fresh indent was received from Project Director, NHA1 vide his No. PD/SGR/14011/01/2014/LA-Sgr/16 dated 06-08-2015 for acquisition of the said land, based upon which the Collector, Land Acquisition, PW (R&B), Srinagar, issued a fresh notification under section 4(1) of the Land Acquisition Act, Svt. 1990 vide No. LA-Coll/PWD/457-72 dated 19-09-2015 for land measuring 293 Kanals 17 Marlas and 270 Sqft., in Estate Lasjan, Tehsil (South), Srinagar, District Srinagar for the aforementioned purpose ; and

Whereas, the Project Director, NHA1 vide his No. PD/SGR/1411/01/LA-Sgr/19 dated 26-10-2015 communicated that minor modifications had taken place as per the revised site plan and demarcation on ground. Accordingly, a revised Shajra Khasra for construction of the above-mentioned road was prepared and authenticated by the Indenting Department in pursuance to which, a fresh notification under section 4(1) of the Land Acquisition Act was issued by the Collector, Land Acquisition (PWD), Srinagar vide No. LA/Coll/PWD/588-98 dated 30-10-2015 for land measuring 295 Kanals 14 Sqft., instead of 293 Kanals 17 Marlas and 270 Sqft. notified earlier in Village Lasjan, Tehsil South (NHA1 By-Pass), Phase-II, District Srinagar ; and

Whereas, the Collector, Land Acquisition, PW (R&B), Srinagar vide No. LA-Coll/PWD/688-98 dated 21-11-2015 reported that some objections were received from the land owners/interested persons which mainly pertains to providing compensation as per the market value of the land, exempted of land, while few land owners sought land in lieu of land, besides rehabilitation ; and

Whereas, the case was placed before the Private Negotiation Committee on 10-11-2015 but the land owners/interested persons who appeared before the District Private Negotiation Committee demanded a rate as high as Rs. 90.00 lac per Kanal or land in lieu of the land under acquisition. One of the land owner namely Ravish Trehan S/o Payre Lal Saraf and Vippen Trehan W/o Ravish Trehan (Trehan Automotives Pvt. Ltd.) was not ready to part with the land, resultantly, the Private Negotiations failed as no consensus could be reached ; and

Whereas, on account of Private Negotiations having been failed, the Collector, Land Acquisition, PW (R&B), Srinagar decided to process the case under compulsory mode of acquisition ; and

Whereas, the report furnished by Collector, Land Acquisition, PW (R&B), Srinagar vide referred to above, duly endorsed by Deputy Commissioner, Srinagar vide No. DCS/LAS/1234/603-06 dated 21-11-2015, Divisional Commissioner, Kashmir vide No. Div. Com./LAS/Acq/2498/1436 dated 02-12-2015 and Financial Commissioner (Revenue), J&K vide his No. FC-LS/LA-4431/2015 dated 12-01-2016, has been examined and it has been found that all the demands of the interested persons cannot acceded to being not tenable, as there is no alternate land available for giving in exchange nor can the land under acquisition be spared in view of its strategic location and the urgency involved in the larger interest of the public, smooth flow of traffic and to avoid inconvenience caused to the public/commuters due to heavy traffic load at intersection Lasjan. However, compensation of the land shall be paid to the rightful claimants in accordance with the provisions of the Land Acquisition Act and the rules thereunder ; and

Whereas, after considering the reports furnished by the Collector, Land Acquisition, PW (R&B), Srinagar duly endorsed by Divisional Commissioner, Kashmir and Financial Commissioner (Revenue), J&K, the Government is satisfied that the land particulars whereof are mentioned-above is required for public purposes and there is no alternative but to acquire the said land for construction of Slip Roads and Loops for smooth flow of traffic at the intersection Lasjan, Tehsil South (NHA1 By-Pass), Phase-II, District Srinagar.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 295 Kanals 14 Sqft. in Estate Lasjan, Tehsil South (NHA1 By-Pass), Phase-II, District Srinagar, specification whereof are given in Annexure "A" to this notification is required for public purposes viz. construction of Slip Roads and Loops for smooth flow of traffic at the intersection in Estate Lasjan. Further, the Collector, Land Acquisition, PWD, Srinagar is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules thereunder.

Since, there is urgency involved in the matter, in pursuance of section 17 of the J&K State Land Acquisition Act, Samvat 1990 it is ordered

that on expiry of fifteen days from the date of publication of notification under section 9(2) of the said Act, the Collector, Land Acquisition, PW (R&B), Srinagar, will take possession of the aforementioned land situated in Estate Lasjan, Tehsil South (NHA1 By-Pass), Phase-II, District Srinagar required for public purposes, subject to the fulfilment of conditions prescribed under section 9(2) and section 17-A of the J&K State Land Acquisition Act and Rule 63 of the J&K Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for proper title verification of all types of land involved in the case, identification and apportionment of compensation, in respect of all interested persons/ rightful claimants in accordance with the relevant laws/rules in force, while making the award.

By order of the Government of Jammu and Kashmir.

(Sd.) MUHAMMAD AFZAL, IAS,

Secretary to the Government,
Revenue Department.

*Annexure "A" to Notification No. 12-Rev(LAK) of 2016
Dated 15-02-2016.*

District	Tehsil	Village	Kh. Nos.	Area involved
1	2	3	4	5
Srinagar	Pantha-chowk	Lasjan	253 min	K. M. Sft. 03-10-000
			288	00-14-000
			289	02-06-000
			293 min	18-13-000
			294	00-08-000
			295	00-16-000

1	2	3	4	5
				K. M. Sft.
			296	00-13-000
			297	02-02-000
			296	00-13-000
			298	02-03-000
			299	01-01-000
			300	01-12-000
			301	00-12-000
			302	02-04-000
			303	00-12-000
			304	05-02-000
			305	04-16-000
			306 min	02-13-000
			307	00-03-090
			308 min	01-00-000
			289	02-06-000
			293 min	18-13-000
			294	00-08-000
			295	00-16-000
			296	00-13-000

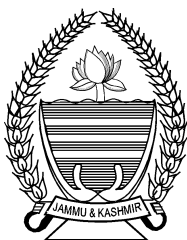
1	2	3	4	5
				K. M. Sft.
			297	02-02-000
			296	00-13-000
			298	02-03-000
			299	01-01-000
			300	01-12-000
			301	00-12-000
			302	00-04-000
			303	00-12-000
			304	05-02-000
			305	04-16-000
			306 min	02-13-000
			307	00-03-000
			308 min	01-00-000
			309 min	00-18-000
			642	06-19-000
			643	00-05-000
			644	09-00-000
			645	12-01-000
			646	03-00-000
			647	12-02-000
			648	11-00-000

1	2	3	4	5
				K. M. Sft.
			649	04-19-000
			650	03-15-000
			651	00-13-000
			652 min	00-00-136
			653	01-02-000
			654	01-08-000
			655	01-10-000
			656	08-01-000
			657	00-14-000
			658	14-16-000
			659	00-19-000
			660	03-10-000
			661	00-13-000
			662 min	01-12-000
			695	00-02-600
			700	00-04-000
			310	01-02-000
			311	01-05-000
			312	01-19-000
			313	01-18-000
			314	16-04-000

1	2	3	4	5
				K. M. Sft.
			315 min	02-10-000
			316 min	00-06-000
			317	02-06-000
			318	07-04-000
			319	04-03-000
			1069	00-01-000
			627	02-08-000
			628	05-12-000
			1059	01-00-000
			1061	00-06-000
			1057	00-08-000
			1058	00-04-000
			1634	01-02-000
			629	06-10-000
			630	09-14-000
			631	04-09-000
			632	04-00-000
			633	01-12-000
			634	01-09-000
			635	07-05-000
			636	00-12-000
			637	00-12-000

1	2	3	4	5
				K. M. Sft.
			638	00-12-000
			639	02-13-000
			640	02-00-000
			641	09-02-000
			700/1	00-06-000
			701	07-08-000
			702	00-05-000
			703	00-08-000
			704	00-09-000
			1055	00-08-000
			1056	00-14-000
			1701	00-13-000
			1702	01-13-000
			287	00-04-000
			1052	01-03-000
			1054	01-18-000
			1703	04-00-000
			1704	00-01-000
			1643	00-05-000

1	2	3	4	5
				K. M. Sft.
			1066	00-08-000
			1049	02-17-000
			1638	01-07-000
			1644	02-10-000
			241	00-08-000
			240	00-01-000
			1050	09-09-000
			1051	06-14-000
			1636	00-01-000
			1060	00-05-000
			Total	295-00-140



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Thu., the 14th July, 2016/23rd Asad., 1938. [No. 15

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In pursuance of Government Order No. 365-GAD of 2016 dated 11-04-2016, we the undersigned handover/takeover the charge of the Office of Commissioner, Commercial Taxes, J&K today on 12th of April, 2016 A. N.

(Sd.) HILAL AHMED PARRAY, IAS.

Relieved Officer.

(Sd.) VINEETA GUPTA, IAS.

Relieving Officer.

30 The J&K Govt. Gazette, 14th July, 2016/23rd Asad., 1938. [No. 15

Subject :—Handing over/taking over the charge of the post(s) of
Administrative Secretary, Information, H&P, Civil Aviation and
Estates Departments.

In pursuance of Government Order No. 389-GAD of 2016 dated
18-04-2016, we the undersigned hereby handover/takeover the charge of
the post(s) of Administrative Secretary, Information, H&P, Civil Aviation
and Estates Departments today i. e. on April 18, 2016 afternoon.

(Sd.) B. B. VYAS, IAS,

Financial Commissioner,
Planning and Dev. Department.

Relieved Officer.

(Sd.) NAVIN KUMAR CHOUDHARY, IAS,

Principal Secretary to Hon'ble Chief Minister.

Relieving Officer.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Thu., the 14th July, 2016/23rd Asad., 1938. [No. 15

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE DEPUTY COMMISSIONER,
UDHAMPUR.

Notification under sections 6&7 of Jammu and Kashmir
Land Acquisition Act, 1990 BK.

Whereas, the land whose specifications are given below is
required for public purpose namely for construction of road under

210 The J&K Govt. Gazette, 14th July, 2016/23rd Asad., 1938. [No. 15

PMGSY “Roun to Sugdhar” in Village Sunthan, Tehsil and District
Udhampur ;

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
				K. M. S.
Udhampur	Udhampur	Sunthan	40 min	00-19-06
			43 min	01-19-05
			44 min	00-19-03
			64 min	00-03-00
			Total	04-01-05

Whereas, notification as required under sub-section (1) of section 4 of the J&K Land Acquisition Act, 1990 (Svt.) was issued by the Collector, Land Acquisition (Assistant Commissioner, Revenue), Udhampur vide his No. ACRU/SQ/3517-23 dated 21-12-2015. The tentative amount of compensation including Jabrana @ 15% communicated by the concerned Collector, is Rs. 23,91,616/- ;

Whereas, undersigned District Collector (Deputy Commissioner) duly authorized by the Government Revenue Department vide SRO Nos. 235&236 dated 11-08-2009 to exercise the powers under sections 6&7 of J&K Land Acquisition Act, 1990 Svt. is satisfied after considering the report furnished by the Collector, Land Acquisition (Assistant Commissioner, Revenue), Udhampur vide his No. PMGSY/Udh/2015-16/4351-52 dated 30-01-2016 that the land is required for the public purpose for construction of road under PMGSY from “Roun to Sugdhar” in Village Sunthan, Tehsil and District Udhampur.

Now, therefore, it is declared under section 6 of the Land Acquisition Act that the aforementioned land is needed for public

purpose. Further, the Collector, Land Acquisition (Assistant Commissioner, Revenue), Udhampur is directed under section 7 of the said Act to take order for acquisition of the land after observing all the rules, norms and standing instructions.

(Sd.) DR. SHAHID IQBAL CHOUDHARY, IAS,

District Collector
(Deputy Commissioner).

OFFICE OF THE COLLECTOR, LAND ACQUISITION
(SDM), BASOHLI.

Notification

In exercise of the power conferred upon me under section 4 of sub-section (1) of the Land Acquisition Act, 1990 (Svt.) I, Gurmukh Singh (KAS), Collector, Land Acquisition, Sub-Divisional Magistrate, Basohli do hereby notify that the land, particulars of which are given below is likely to be needed for public purpose namely for construction of road from Kagrore to Plakh at Village Kagrore, Tehsil Basohli, District Kathua measuring 24 Kanals 07 Marals (The land under Khasra No. 855 min measuring 03 Kanals 17 Marlas and Khasra No. 477 min measuring 04 Kanals 06 Marlas Total 08 Kanals 03 Marlas is being forest land is hereby deleted).

Objection, if any, to the proposed acquisition of the said land shall be received by the undersigned within 15 days from the date of publication of this notification.

Particulars of land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M.
Kathua	Basohli	Kagrore	963 min	00-13
			962 min	00-19
			961 min	00-05

1	2	3	4	5
				K. M.
			959 min	03-06
			958 min	01-03
			957 min	00-17
			761 min	00-05
			1767/949	00-19
			1760/881 min	00-03
			879 min	01-00
			878 min	00-13
			877 min	00-06
			876 min	01-12
			874 min	02-10
			873 min	00-13
			1957/872 min	02-16
			1955/871 min	03-07
			859 min	00-03
			857 min	02-03
			817 min	00-14
			Total	24-07

(Sd.) GURMUKH SINGH (KAS),

Collector, Land Acquisition
(Sub-Divisional Magistrate),
Basohli.

OFFICE OF THE COLLECTOR, LAND ACQUISITION
(SDM), BASOHLI.

Notification

In exercise of the powers conferred upon me under section 4 of sub-section (1) of the Land Acquisition Act, 1990 (Svt.) I, Gurmukh Singh (KAS), Collector, Land Acquisition, Sub-Divisional Magistrate, Basohli do hereby notify that the land, particulars of which are given below is likely to be needed for public purpose namely for construction of Alternative Link Road from Kagore to Plakh at Village Plakh, Tehsil Basohli, District Kathua measuring 32 Kanals 13 Marla. The land under Khasra No.1796/1413 min measuring 14 Kanals 00 Marals being forest land is hereby deleted.

Objection, if any, to the proposed acquisition of the said land shall be received by the undersigned within 15 days from the date of publication of this notification.

Particulars of land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M.
Kathua	Basohli	Plakh	2230/1497 min	00-13
			1495 min	01-01
			1496 min	00-12
			1492 min	00-08
			1486 min	00-01
			1487 min	00-03
			1490 min	02-13
			1489 min	00-17
			1458 min	00-12
			1452 min	00-08
			1435 min	00-01
			1436 min	01-14

1	2	3	4	5
				K. M.
			2244/1438 min	00-06
			2245/1438 min	00-07
			1437 min	00-11
			1428 min	02-01
			1427 min	01-11
			1426 min	00-19
			1425 min	01-13
			1424 min	01-03
			1423 min	01-06
			1422 min	00-11
			1421 min	00-07
			1420 min	00-12
			1419 min	00-06
			1418 min	02-00
			1416 min	01-17
			1414 min	00-04
			1415 min	00-11
			1411 min	05-13
			1412 min	01-00
			1797/1413 min	00-12
			Total	32-13

(Sd.) GURMUKH SINGH (KAS),

Collector, Land Acquisition
(Sub-Divisional Magistrate),
Basohli.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
ASSISTANT COMMISSIONER (REVENUE), UDHAMPUR.

Subject :—Notification under section 4 (1) of the Jammu and Kashmir
Land Acquisition Act No. X of 1990 BK.

Notification

In exercise of powers conferred upon me under sub-section (1) of section 4 of the Land Acquisition Act No. X of 1990 BK, I, Rajeev Magotra, KAS, Collector, Land Acquisition (Assistant Commissioner, Revenue), Udhampur do hereby notify that the land measuring 14 Kanals 16 Marlas 05 Sarsai particulars of which are given below is likely to be needed for public purpose namely for construction of road under PMGSY from “Tikri to Chanas up to Dabbar Baskyani (Block Udhampur) under PMGSY Phase-VII in Village Mand, Tehsil and District Udhampur.

Objection, if any, to the acquisition of the below mentioned land will be received by the undersigned within 15 days from the publication of this notification in Government Gazette and publication in the Newspaper.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area	Kind of Soil
				K. M. S.	
Udhampur	Udhampur	Mand	21	00-00-04	G. M. Rasta
			22	00-09-00	W. Doem
				00-03-00	G. M. Bana

			Total	00-12-00	

1	2	3	4	5	6
				K. M. S.	
			23	02-15-00	G. M. Sadak
			33	00-06-00	W. Abal
				00-02-00	G. M. Bana

			Total	00-08-00	

			35	00-04-00	W. Abal
				00-01-00	G. M. Bana

			Total	00-05-00	

			36	00-04-00	G. M. Ashram
			37	00-02-00	B. Q.
			38	00-04-00	W. Doem
			39	01-17-00	G. M. Sadak
			98	00-04-00	W. Abal
				00-01-00	G. M. Padat

			Total	00-05-00	

			102	00-12-00	W. Abal
				00-03-00	G. M. Bana

			Total	00-17-00	

			103	00-01-00	G. M. Rasta
			104	03-15-00	G. M. Rasta

1	2	3	4	5	6
				K. M. S.	
			107	00-10-00	W. Abal
				00-02-00	G. M. Bana
			Total	00-12-00	
			108	00-02-00	G. M. Rasta
			109	01-03-00	Hail
				00-02-00	G. M. Bana
			Total	01-05-00	
			116	00-00-01	G. M. Dhari
			117	00-18-00	W. Doem
				00-05-00	B. Q.
			Total	01-03-00	
			152	00-09-00	G. M. Jar
			G. Total	14-16-05	

(Sd.) RAJEEV MAGOTRA (KAS),

Collector,
Land Acquisition,
Assistant Commissioner (Revenue),
Udhampur.

GOVERNMENT OF
OFFICE OF THE DIRECTOR GEN
(REGISTRAR STAT
SDA COLONY, BEMINA,

Result/Marks Sheet of Final Examination of 46th Batch of Statistical

S. No.	Name of the candidate	Exam. Roll No.	Paper-I (Plan, Formation and Monitoring)			Paper-II (Evaluation Part A) Theory		
			Max. Marks	Min. Marks	Marks obtai- ned	Max. Marks	Min. Marks	Marks obtai- ned
1	2	3	4	5	6	7	8	9
S/Shri/Smt.								
Jammu Centre :								
1	Harish Chander Suri	301	100	35	45	60	21	44
2	Richa Gupta	302	100	35	46	60	21	43
3	Kewal Basotra	303	100	35	44	60	21	41
4	Mohd Fareed	304	100	35	47	60	21	46
5	Jai Kumar Sharma	305	100	35	44	60	21	43
6	Gayatri Devi	306	100	35	50	60	21	47
7	Kuldeep Raj	307	100	35	50	60	21	42
8	Nazir Hussain	308	100	35	45	60	21	46
9	Qalam-u-Din	309	100	35	45	60	21	41
10	Pamposh Talashi	310	100	35	55	60	21	47
11	Deepshika Amla	311	100	35	45	60	21	42
12	Subash Chander Abrol	312	100	35	46	60	21	38
13	Sulekha Bhan	313	100	35	52	60	21	47
14	Tashi Dolma	314	100	35	48	60	21	46
Srinagar Centre :								
15	Irshad Ahmad	315	100	35	45	60	21	44
16	Mushtaq Ahmad Khan	316	100	35	47	60	21	42

JAMMU AND KASHMIR,
ERAL, ECONOMICS AND STATISTICS, J&K
ISTICAL EXAMINATIONS),
SRINAGAR/JANIPUR, JAMMU.

Officer Trainees held at Statistical Training Schools, Jammu/Srinagar

Paper-II Part B (Evl. Report) Practical			Marks obtained in Paper-II (Col. 9+12)	Paper-III (Statistics)		
Max. Marks	Min. Marks	Marks obtai- ned		Max. Marks	Min. Marks	Marks obtai- ned
10	11	12	13	14	15	16
40	14	28	72	100	35	95
40	14	27	70	100	35	87
40	14	29	70	100	35	90
40	14	26	72	100	35	95
40	14	27	70	100	35	87
40	14	28	75	100	35	88
40	14	27	69	100	35	87
40	14	27	73	100	35	87
40	14	26	67	100	35	77
40	14	27	74	100	35	82
40	14	28	70	100	35	90
40	14	28	66	100	35	78
40	14	28	75	100	35	85
40	14	29	75	100	35	85
40	14	35	79	100	35	65
40	14	32	74	100	35	65

GOVERNMENT OF
OFFICE OF THE DIRECTOR GEN
(REGISTRAR STAT
SDA COLONY, BEMINA

Result/Marks Sheet of Final Examination of 46th Batch of Statistical

S. No.	Name of the candidate	Exam. Roll No.	Paper-IV (Computerisation Theory Part A)			Grace marks, if applicable
			Max. Marks	Min. Marks	Marks obtained	
1	2	3	17	18	19	20
	S/Shri/Smt.					
	Jammu Centre :					
1	Harish Chander Suri	301	50	17.5	24	—
2	Richa Gupta	302	50	17.5	23	—
3	Kewal Basotra	303	50	17.5	23	—
4	Mohd Fareed	304	50	17.5	23	—
5	Jai Kumar Sharma	305	50	17.5	18	—
6	Gayatri Devi	306	50	17.5	26	—
7	Kuldeep Raj	307	50	17.5	26	—
8	Nazir Hussain	308	50	17.5	20	—
9	Qalam-u-Din	309	50	17.5	22	—
10	Pamposh Talashi	310	50	17.5	25	—
11	Deepshika Amla	311	50	17.5	22	—
12	Subash Chander Abrol	312	50	17.5	21	—
13	Sulekha Bhan	313	50	17.5	24	—
14	Tashi Dolma	314	50	17.5	25	—
	Srinagar Centre :					
15	Irshad Ahmad	315	50	17.5	21	—
16	Mushtaq Ahmad Khan	316	50	17.5	19	—

JAMMU AND KASHMIR,
 ERAL, ECONOMICS AND STATISTICS, J&K
 ISTICAL EXAMINATIONS)
 SRINAGAR/JANIPUR, JAMMU.

Officer Trainees held at Statistical Training Schools, Jammu/Srinagar

Paper-IV (Computerisation Practical Part-B)			Marks obtained in Paper-IV Computerisation (Col. 19+23)	Total marks obtained	Aggregate %age of total marks	Remarks
Max. Marks	Min. Marks	Marks obtained				
21	22	23	24	25	26	27
50	17.5	41	65	277	69.25	Pass
50	17.5	41	64	267	66.75	Pass
50	17.5	42	65	269	67.25	Pass
50	17.5	38	61	275	68.75	Pass
50	17.5	30	48	249	62.25	Pass
50	17.5	44	70	283	70.75	Pass
50	17.5	39	65	271	67.75	Pass
50	17.5	34	54	259	64.75	Pass
50	17.5	38	60	249	62.25	Pass
50	17.5	43	68	279	69.75	Pass
50	17.5	44	66	271	67.75	Pass
50	17.5	44	65	255	63.75	Pass
50	17.5	44	68	280	70.00	Pass
50	17.5	45	70	278	69.50	Pass
50	17.5	29	50	239	59.75	Pass
50	17.5	32	51	237	59.25	Pass

GOVERNMENT OF
OFFICE OF THE DIRECTOR GEN
(REGISTRAR STAT
SDA COLONY, BEMINA

Result/Marks Sheet of Final Examination of 46th Batch of Statistical

S. No.	Name of the candidate	Exam Roll No.	Paper-I (Plan, Formation and Monitoring			Paper-II (Evaluation Part A) Theory		
			Max. Marks	Min. Marks	Marks obtai- ned	Max. Marks	Min. Marks	Marks obtai- ned
1	2	3	4	5	6	7	8	9
S/Shri/Smt.								
Srinagar Centre :								
17	Mohmmad Maqbool Bhat	317	100	35	44	60	21	38
18	Farooq Ahmad Mir	318	100	35	43	60	21	34
19	Gulam Mohi-ud-Din Ganie	319	100	35	40	60	21	31
20	Mohd Farooq Sofi	320	100	35	45	60	21	39
21	Neelofar Jan	321	100	35	48	60	21	42
22	Shazia Nisar Rizvi	322	100	35	48	60	21	44
23	Gulzar Ahmad Khan	323	100	35	47	60	21	42
24	Javid Rasool	324	100	35	48	60	21	39
25	Ghulam Mohmmad	325	100	35	48	60	21	36
26	Suridha Choudhary	326	100	35	50	60	21	40
27	Syed Raees Ahmad	327	100	35	52	60	21	40
28	Ghulam Rasool Mir	328	100	35	50	60	21	40
29	Shafeeq Ahmad Shah	329	100	35	51	60	21	45
30	Popinder Singh	330	100	35	51	60	21	28
31	Farhana Chicken (Private Candidate)	331	100	35	52	60	21	42

JAMMU AND KASHMIR,
 ERAL, ECONOMICS AND STATISTICS, J&K
 ISTICAL EXAMINATIONS)
 SRINAGAR/JANIPUR JAMMU.

Officer Trainees held at Statistical Training Schools, Jammu/Srinagar

Paper-II Part B (Evl. Report) Practical			Marks obtained in Paper-II (Col. 9+12)	Paper-III (Statistics)		
Max. Marks	Min. Marks	Marks obtai- ned		Max. Marks	Min. Marks	Marks obtai- ned
10	11	12	13	14	15	16
40	14	28	66	100	35	73
40	14	38	72	100	35	60
40	14	26	57	100	35	55
40	14	31	70	100	35	50
40	14	28	70	100	35	70
40	14	35	79	100	35	70
40	14	30	72	100	35	62
40	14	36	75	100	35	65
40	14	34	70	100	35	55
40	14	27	67	100	35	57
40	14	32	72	100	35	60
40	14	30	70	100	35	65
40	14	36	81	100	35	65
40	14	32	60	100	35	60
40	14	30	72	100	35	75

GOVERNMENT OF
OFFICE OF THE DIRECTOR GEN
(REGISTRAR STAT
SDA COLONY, BEMINA

Result/Marks Sheet of Final Examination of 46th Batch of Statistical

S. No.	Name of the candidate	Exam. Roll No.	Paper-IV (Computerisation Theory Part A)	Grace marks, if applicable
			Max. Marks Marks obtained	

1	2	3	17	18	19	20
	S/Shri/Smt.					
	Srinagar Centre :					
17	Mohmmad Maqbool Bhat	317	50	17.5	20	—
18	Farooq Ahmad Mir	318	50	17.5	22	—
19	Gulam Mohi-ud-Din	319	50	17.5	18	—
20	Mohd Farooq Sofi	320	50	17.5	22	—
21	Neelofar Jan	321	50	17.5	24	—
22	Shazia Nisar Rizvi	322	50	17.5	23	—
23	Gulzar Ahmad Khan	323	50	17.5	21	—
24	Javid Rasool	324	50	17.5	24	—
25	Ghulam Mohmmad	325	50	17.5	17+0.5(17.5)	(+0.5)
26	Suridha Choudhary	326	50	17.5	27	—
27	Syed Raees Ahmad	327	50	17.5	19	—
28	Ghulam Rasool Mir	328	50	17.5	18	—
29	Shafeeq Ahmad Shah	329	50	17.5	21	—
30	Popinder Singh	330	50	17.5	22	—
31	Farhana Chicken (Private Candidate)	331	50	17.5	25	—

JAMMU AND KASHMIR
 ERAL, ECONOMICS AND STATISTICS, J&K
 ISTICAL EXAMINATIONS)
 SRINAGAR/JANIPUR, JAMMU.

Officer Trainees held at Statistical Training Schools, Jammu/Srinagar

Paper-IV (Computerisation Practical Part-B)			Marks obtained in Paper-IV Computerisation (Col. 19+23)	Total marks obtained	Aggregate %age of total marks	Remarks
Max. Marks	Min. Marks	Marks obtained				
21	22	23	24	25	26	27
50	17.5	33	53	236	59.00	Pass
50	17.5	28	50	225	56.25	Pass
50	17.5	30	48	200	50.00	Pass
50	17.5	26	48	213	53.25	Pass
50	17.5	31	55	243	60.75	Pass
50	17.5	31	54	251	62.75	Pass
50	17.5	26	47	228	57.00	Pass
50	17.5	36	60	248	62.00	Pass
50	17.5	44	61.5	234.5	58.63	Pass
50	17.5	31	58	232	58.00	Pass
50	17.5	26	45	229	57.25	Pass
50	17.5	31	49	234	58.50	Pass
50	17.5	44	65	262	65.50	Pass
50	17.5	31	53	224	56.00	Pass
50	17.5	36	61	260	65.00	Pass

First Three Positions					
S. No.	Name of the candidate	Exam. No.	Roll Marks Obtd.	Aggregate Percentage	Position
1.	Gayatri Devi	306	283	70.75	1st
2.	Sulekha Devi	313	280	70.00	2nd
3.	Pamposh Talshi	310	279	69.75	3rd

(Sd.) R. A. BANDAY,

Director General,
Economics and Statistics, J&K
(Registrar Sts. Exams.).

Notice

I, Ranjeet Kour W/o S. Charan Singh (Retd. Sgt. IAF) Service No. 295072 R/o Street-16, Sector-7, Nanak Nagar, Jammu want to correct my name which has wrongly been written in Pension Record of my husband as Ranjeet Kaur. My correct name is Ranjeet Kour. Now applying for correction. Objection, if any, may be conveyed to the concerned authorities.

Notice

My name has wrongly been written as Raman Chark instead of Raman Charak in my 10th and 12th Class Mark Sheet. Now, I am applying for corrections. Objection, if any, may be conveyed to concerned authourity within 7 days.

RAMAN CHARAK

S/o Sh. Surinder Singh
R/o Deoli,
Tehsil Bishnah,
District Jammu.



THE JAMMU AND KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 14th July, 2016/23rd Asad., 1938. [No. 15

Separate paging is given to this part in order that it may be filed as a
separate compilation.

ADVERTISEMENTS—C

GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF STATE MOTOR GARAGES, J&K, BEMINA
BYE- PASS ROAD, SRINAGAR.

Abridged Tender Notice.

For and on behalf of the Governor of J&K State, sealed tenders affixed
with revenue stamp worth of Rs. 5/- are invited from original equipment

manufacturer/authorized dealers and stockist who are eligible to participate in the e-Tendering process for supply of following items to the State Motor Garages Department :—

S. No.	NIT	Items
1	2	3
01.	NIT No. 10	Maruti Sx4 Spare Parts
02.	NIT No. 11	Batteries
03.	NIT No. 12	Ambassador Car Spare Parts
04.	NIT No. 13	Bolero Spare Parts
05.	NIT No. 14	City Honda Spare Parts
06.	NIT No. 15	General Items
07.	NIT No. 16	Maruti Ciaz Spare Parts
08.	NIT No. 17	Maruti Gypsy Spare Parts
09.	NIT No. 18	Maruti Swift Spare Parts
10.	NIT No. 19	Maruti Van Spare Parts
11.	NIT No. 20	Matting
12.	NIT No. 21	Oils and Lubricants

1	2	3
13.	NIT No. 22	Paint Item
14.	NIT No. 23	Scorpio S4 & S10 Spare Parts
15.	NIT No. 24	Scorpio SLE, LX, VLX Spare Parts
16.	NIT No. 25	Seat Cover
17.	NIT No. 26	Tata Safari Dicor Spare Parts
18.	NIT No. 27	Tata Safari Strom VXI Spare Parts
19.	NIT No. 28	Tata Sumo Spare Parts
20.	NIT No. 29	Cheverlet Tavera Spare Parts
21.	NIT No. 30	Tools and Equipments
22.	NIT No. 31	Toyota Innova and Fortuner Spare Parts
23.	NIT No. 32	Tyre and Tubes
24.	NIT No. 33	Upholstery

A copy of detailed tender notice along with annexures can be had from www.jktenders.gov.in. The last date for submission of tender/bid through e-Tendering process shall be 29th of June, 2016 up to 1400 hours. The submission of hard copy of bid document shall be furnished to the Office of Director, State Motor Garages Department, Bemina Bye-Pass Road,

78 The J&K Govt. Gazette, 14th July, 2016/23rd Asad., 1938. [No. 15

Srinagar up to 11-07-2016 at 1700 hours. Besides, technical bid shall be opened on 14th July, 2016 at 1400 hours in presence of the tenderers who may like to attend the tender opening proceedings.

(Sd.) MOHAMMAD IQBAL GANAIE,

Accounts Officer,
State Motor Garages Department,
J&K, Srinagar.

رجسٹرڈ نمبر جے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 129۔ سرینگر۔ مورخہ 14 جولائی 2016ء بمطابق 23 اساتھ 1938 ویروار۔ نمبر 15

اشتہارات

از عدالت سپیشل ایکسائز موبائل مجسٹریٹ جموں/کیمپ

سرکار بنام کرشنا دیوی وغیرہ

پرچہ علت نمبر 77 سال 2004ء، تھانہ پولیس ہشتاہ

بجرائم زیر دفعات 48 Excise Act

وارنٹ گشتی عام زیر دفعہ 512 ض ف

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ اِلا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم مسما ت کرشنا دیوی زوجہ کرشن لعل قوم براہمن ساکنہ وارڈ نمبر (1) بٹناہ جموں۔ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔ لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حد و ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

سرکار بنام کرشنا دیوی وغیرہ

علت نمبر 77 سال 2004ء، تھانہ پولیس بٹناہ

بجرائم زیر دفعات 48 Excise Act

وارنٹ گشتی عام زیر دفعہ 512 ض ف

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ اِلا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم دھرم پال ولد شمشیر چند قوم بٹوال ساکنہ کھوڑمیل آرائیس پورہ۔ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

Allahabad Banak Ltd. بنام Narinder Singh Jaggi and another

علت نمبر 77 سال 2004ء ، تھانہ پولیس ہشتاہ

بجرائم زیر دفعات 138 N.I. Act

وارنٹ گشتی عام زیر دفعہ 512 ض ف
حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم نریندر سنگھ جگی ولدنا معلوم پتہ مکان نمبر 80 سیکٹر -G سینک کالونی، جموں۔ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

سرکار بنام کلیر سنگھ وغیرہ
پرچہ علت نمبر 53 سال 2003ء، تھانہ پولیس باہوفورٹ
جرم زیر دفعہ 407 of RPC
وارنٹ گشتی عام زیر دفعہ 512 ض ف
حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بار بار بذریعہ وارنٹ گرفتاری
بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی
ہے کہ ملزم نمبر (3) کینگ پال سنگھ ولد بجن سنگھ قوم سکھ ساکنہ کنٹورہ بارہمولہ
کنڈیکٹر JK05-308 Truck NO۔ گھر سے فرار ہے اور روپوش ہو گیا ہے جس
سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران
پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی
اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

دستخط : سپیشل ایکسائز موبائل مجسٹریٹ جموں۔

EXTRAORDINARY

REGD. NO. JK—33



THE JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Tue., the 28th June, 2016/7th Asad., 1938. [No. 12-10

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY
SECRETARIAT, SRINAGAR

Under Rule 64 of the Rules of Procedure and Conduct of Business in Jammu and Kashmir Legislative Assembly, the following Bill together with the Statement of Objects and Reasons, is published in an extraordinary issue of the Government Gazette.

By order of the Hon'ble Speaker.

(Sd.) **M. RAMZAN,**

Secretary.

THE JAMMU AND KASHMIR CHIT FUNDS
BILL, 2016

[L. A. Bill No. 11 of 2016.]

A Bill to provide for the regulation of chit funds in the State and for matter connected therewith.

Be it enacted by the Jammu and Kashmir State Legislature in the Sixty-seventh Year of the Republic of India as follows :—

CHAPTER I

Preliminary

1. *Short title and commencement.*—(1) This Act may be called the Jammu and Kashmir Chit Funds Act, 2016.

(2) It shall come into force on such date as the Government may, by notification in the Government Gazette appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

- (a) “approved bank” means the State Bank of India constituted under section 3 the State Bank of India Act, 1955 (Central Act No. 23 of 1955), or a subsidiary bank constituted under section 3 of the State Bank of India (Subsidiary Banks) Act, 1959 (Central Act No. 38 of 1959), or a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act No. 5 of 1970), or a Regional Rural Bank established under section 3 of the Regional Rural Banks Acts, 1976 (Central Act No. 21 of 1976), or a corresponding new bank constituted under

section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980), or a banking company as defined under clause (e) of section 35 of the Banking Regulation Act, 1949 (10 of 1949) or such other banking institution as the Government may in consultation with the Reserve Bank, approve for the purposes of this Act ;

- (b) “chit” means a transaction whether called chit, chit fund, chitty, kuri or by any other name by or under which a person enters into an agreement with a specified number of persons that every one of them shall subscribe a certain sum of money (or a certain quantity of grain instead) by way of periodical instalments over a definite period and that each such subscriber shall, in his turn, as determined by lot or by auction or by tender or in such other manner as may be specified in the chit agreement, be entitled to the prize amount ;

Explanation :— A transaction is not a chit within the meaning of this clause, if in such transaction—
—

- (i) some alone, but not all, of the subscribers get the prize amount without any liability to pay future subscriptions ; or
- (ii) all the subscribers get the chit amount by turns with a liability to pay future subscriptions ;
- (c) “chit agreement” means the document containing the articles of agreement between the foreman and the subscribers relating to the chit ;

- (d) “chit amount” means the sum total of the subscriptions payable by all the subscribers for any instalments of a chit without any deduction of discount or otherwise ;
- (e) “chit business” means the business of conducting a chit ;
- (f) “defaulting subscriber” means the subscriber who has defaulted in the payment of subscriptions due in accordance with the terms of the chit agreement ;
- (g) “discount” means the sum of money or the quantity of grain which a prized subscriber is, under the terms of the chit agreement required to forego and which is set apart under the said agreement to meet the expenses of running the chit or for distribution among the subscribers or for both ;
- (h) “dividend” means the share of the subscriber in the amount of discount available under the chit agreement for rateable distribution among the subscribers at each instalment of the chit ;
- (i) “draw” means the manner specified in the chit agreement for the purpose of ascertaining the prized subscriber at any instalment of the chit ;
- (j) “foreman” means the person who under the chit agreement is responsible for the conduct of the chit and includes any person discharging the functions of the foreman under section 39 ;
- (k) “Government”, means the Government of Jammu and Kashmir ;

- (l) “non-prized subscriber” does not include a defaulting subscriber ;
- (m) “prescribed” means prescribed by rules made under this Act ;
- (n) “prize amount” means the difference between the chit amount and the discount, and in the case of a fraction of a ticket means the difference between the chit amount and the discount proportionate to the fraction of the ticket, and when the prize amount is payable otherwise than in cash, the value of the prize amount shall be the value at the time when it becomes payable ;
- (o) “prized subscriber” means a subscriber who has either received or is entitled to receive the prize amount ;
- (p) “Registrar” means the Registrar of Chits appointed under section 61, and includes an Additional, a Joint, Deputy or an Assistant Registrar appointed under that section ;
- (q) “Reserve Bank” means the Reserve Bank of India constituted under the Reserve Bank of India Act, 1934 (2 of 1934) ;
- (r) “subscriber” includes a person who holds a fraction of a ticket and also a transferee of a ticket or fraction thereof by assignment in writing or by operation of law ;
- (s) “ticket” means the share of a subscriber in a chit.

3. *Act to override other laws, memorandum, articles, etc.—*
Save as otherwise expressly provided in this Act,—

- (a) the provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force or in the memorandum or articles

of association or bye-laws or in any agreement or resolution whether the same be registered, executed or passed, as the case may be, before or after the commencement of this Act ; and

- (b) any provision contained in the memorandum, articles, bye-laws agreement or resolution aforesaid, shall, to the extent to which it is repugnant to the provisions of this Act, become null or be void, as the case may be.

CHAPTER II

Registration of Chits, Commencement and Conduct of Chit Business

4. *Prohibition of chits not sanctioned or registered under the Act.*—(1) No chit shall be commenced or conducted in the State without obtaining the previous sanction of the Government or of such officer as may be empowered by Government in this behalf, and unless the chit is registered in the State in accordance with the provisions of this Act :

Provided that a sanction obtained under this sub-section shall lapse if the chit is not registered within twelve months from the date of such sanction or within such further period or periods not exceeding six months in the aggregate as the Government may, on application made to it in this behalf, allow.

(2) An application for the purpose of obtaining a sanction under sub-section (1) shall be made by the foreman in such form and in such manners as may be prescribed.

(3) The previous sanction referred to in sub-section (1) may be refused, if the foreman,—

- (a) had been convicted of any offence under this Act or under any other Act regulating chit business and sentenced to imprisonment for an such offence ; or

- (b) had defaulted in the payment of fees or the filing of any statement or record required to be paid or filed under this Act or had violated any of the provisions of this Act or the rules made thereunder ; or
- (c) had been convicted of any offence involving moral turpitude and sentenced to imprisonment for any such offence unless a period of five years has elapsed since his release :

Provided that before refusing any such sanction, the foreman shall be given a reasonable opportunity of being heard.

(4) The order of the Government, and, subject to the provisions of sub-section (5), the order of the officer empowered under sub-section (1), issuing or refusing previous sanction under this section shall be final.

(5) Any person aggrieved by the refusal to issue previous sanction by any officer empowered under sub-section (1) may appeal to the Government within thirty days of the date of communication to him of such refusal and the decision of Government on such appeal shall be final.

5. Prohibition of invitation for subscription except under certain conditions.—No person shall issue or cause to be issued any notice, circular, prospectus, proposal or other document inviting the public to subscribe for tickets in any chit unless such notice, circular, prospectus, proposal or document contains a statement that the previous sanction required under section 4 has been obtained and the particulars of such sanction.

6. Form of chit agreement.—(1) Every chit agreement shall be in duplicate and shall be signed by each of the subscribers or by any persons authorised by him in writing and the foreman and attested by

at least two witnesses a and it shall contain the following particulars, namely :—

- (a) full name and residential address of every subscriber ;
- (b) the number of tickets including the fraction of a ticket held by each subscriber ;
- (c) the number of instalments, the amount payable for each ticket at every instalments and the interest or penalty, if any, payable on any default in the payment of such instalments ;
- (d) the probable date of commencement and the duration of the chit ;
- (e) the manner of ascertaining the prized subscriber at each instalments ;
- (f) the maximum amount of discount which the prized subscriber has to forego at any instalments ;
- (g) the mode and proportion in which the discount is distributable by way of dividend, foreman's commission or remuneration or expenses for running the chit, as the case may be ;
- (h) the date, time and place at which the chit is to be drawn ;
- (i) the instalments at which the foreman is to get the chit amount ;
- (j) the name of the approved bank in which chit moneys shall be deposited by the foreman under the foreman under the provisions of this Act ;
- (k) where the foreman is an individual, the manner in which a chit shall be continued when such individual dies or becomes of unsound mind or is otherwise incapacitated ;

- (l) the consequences to which a non-prized or prized subscriber or the foreman shall be liable in case of violation of any of the provisions of the chit agreement ;
- (m) the conditions under which a subscriber shall be treated as a defaulting subscriber ;
- (n) the nature and particulars of the security to be offered by the foreman ;
- (o) the dates on which and time during which the foreman shall, subject to the provisions contained in section 44, allow inspection of chit records to non-prized and unpaid prized subscribers ;
- (p) the names of the nominees of each subscriber, that is to say, the name of the chit may be paid in the case of the death of the subscriber or when he is otherwise incapable of making an agreement ;
- (q) any other particulars that may, from time to time, be prescribed.

Explanation :— For the purpose of this sub-section, it shall be sufficient if the signature of each subscriber is obtained in separate copies of the agreement.

(2) The duration of a chit shall not extend beyond a period of five years from the date of its commencement :

Provided that the Government may permit the duration of a chit up to a period of ten years if it is satisfied that it is necessary so to do, having regard to,—

- (a) the financial condition of the foreman ;

- (b) his methods of operation ;
- (c) the interests of prospective subscribers ;
- (d) the requirements as to security ; and
- (e) such other factors as the circumstances of the case may require.

(3) The amount of discount referred to in clause (f) of sub-section (1) shall not exceed thirty per cent of the chit amount.

(4) Where the prized subscriber at any instalments of the chit is required to be determined by auction and more than one person offer the maximum discount, the prized subscriber shall be determined by lot.

7. *Filing of chit agreement.*—(1) Every chit agreement shall be filed in duplicate by the foreman with Registrar.

(2) The Registrar shall retain one copy of the chit agreement and return the duplicate to the foreman with an endorsement that the chit agreement has been registered :

Provided that the Registrar may refuse to register the chit agreement on anyone or more of the following grounds, namely :—

- (a) that the security offered by the foreman under section 20 is insufficient ;
- (b) that the foreman had been convicted of any offence under this Act or under any other Act regulating chit business and sentenced to imprisonment for any such offence ;
- (c) that the foreman had defaulted in the payment of fees or the filing of any statement or record required to be paid

or filed under this Act or had violated any of the provisions of this Act or the rules made thereunder ;

- (d) that the foreman had been convicted of any offence involving moral turpitude and sentenced to imprisonment for any such offence unless a period of five years has elapsed since his release :

Provided further that before refusing to Registrar a chit under the first proviso, the foreman shall be given a reasonable opportunity of being heard.

(3) Every endorsement made under sub-section (2) shall be conclusive evidence that the chit is duly registered under this Act and the registration of a chit shall lapse if the declaratron by the foreman under sub-section (1) of section 9 is not filed within three months from the date of such endorsement or within such further period or periods not exceeding three months in the aggregate as the Registrar may, on application made to him in this behalf, allow.

8. Minimum capital requirements for the commencement, etc. of a chit, and creation of a reserve fund, by a company.—

(1) Notwithstanding anything contained in the Companies Act, 1956, but subject to the provisions of this Act, a company shall not commence or carry on chit business unless it has a paid-up capital of not less than rupees ten lakhs.

(2) Every company having a paid-up capital of less than rupees ten lakhs and carrying on chit business on the commencement of this Act, shall, before the expiry of a period of three years from such commencement, increase its paid-up capital to not less than rupees one lakh :

Provided that the Government may, if it considers it necessary in the public interest or for avoiding any hardship, extend the said

period of three years in respect of any company by such further period or periods not exceeding two years in the aggregate :

Provided further that no such company shall commence any new chit the duration of which would extend beyond the said period of three years or such extended period or periods under the first proviso unless it increases its paid-up capital to not less than rupees one lakh.

(3) Every company carrying on chit business shall create and maintain a reserve fund and shall, out of the balance of profit of each year as disclosed in its profit and loss account and before any dividend on its shares is declared, transfer to such reserve fund, a sum equal to not less than ten per cent of such profit.

(4) No company shall appropriate any sum or sums from the reserve fund except with the prior approval of the Registrar and, for the purpose of obtaining such approval it shall make an application in the prescribed form to the Registrar explaining the circumstances relating to such appropriation.

9. *Commencement of chit.*—(1) Every foreman shall, after all the tickets specified in the chit agreement are fully subscribed, file a declaration to that effect with the Registrar.

(2) As soon as may be after a declaration is filed under sub-section (1), the Registrar shall, after satisfying himself that all, the requirements relating to sanction, registration of chit and other matters have been duly complied with, grant a certificate of commencement to the foreman.

(3) No foreman shall commence any auction or, the draw of any chit or appropriate any chit amount unless a certificate of commencement referred to in sub-section (2) is obtained by him.

10. *Copies of chit agreement to be given to subscribers.*—

(1) A foreman shall, as soon as may be after he has obtained the certificate of commencement under sub-section (2) of section 9, but not later than the date of the first draw of the chit, furnish to every subscriber, a copy of the chit agreement certified to be a true copy.

(2) A foreman shall, within fifteen days after the close of the month in which the draw for the first instalment of the chit is held, file with the Registrar, a certificate to the effect that the provisions of sub-section (1) have been complied with.

11. *Use of the words “chit” chit fund”, “chitty” or “kuri”.*—

—(1) No person shall carry on chit business unless he uses as part of his name any of the words “chit”, “chit fund” “chitty” or “kuri” and no person other than a person carrying on chit business shall use as part of his name any such word.

(2) Where at the commencement of this Act,—

- (a) any person carrying on chit business without using as part of his name any of the words specified in sub-section (1) ; or
- (b) any person not carrying on chit business is using any such word as part of his name ; he shall, within a period of one year from such commencement, add as part of his name any such word or, as the case may be, delete such words from his name :

Provided that the Government may, if it considers it necessary in the public interest or for avoiding any hardship, extend the said period of one year by such further period or periods not exceeding one year in the aggregate.

12. *Prohibition of transacting business other than chit business by a company.*—(1) Except with the general or special permission of the Government, no company carrying on chit business shall conduct any other business.

(2) Where at the commencement of this Act, any company is carrying on any business in addition to chit business, it shall wind up such other business before the expiry of a period of three years from such commencement :

Provided that the Government may, if it considers it necessary in the public interest or for avoiding any hardship, extend the said period of three years by such further period or periods not exceeding two years in the aggregate.

13. *Aggregate amount of chits.*—(1) No foreman, other than a firm or other association of individuals or company or co-operative society, shall commence or conduct chits, the aggregate chit amount of which at any time exceeds one lakh rupees.

(2) Where the foreman is a firm or other association of individuals, the aggregate chit amount of the chits conducted by the firm or other association shall not at any time exceed,—

- (a) where the number of partners of the firm or the individuals constituting the association is not less than four, a sum of rupees ten lakhs ;
- (b) in any other case, a sum calculated on the basis of one lakh rupees with respect to each such partner or individual.

(3) Where the foreman is a company or co-operative society, the aggregate chit amount of the chits conducted by it shall not at any time exceed ten times the net-owned funds of the company or the co-operative society, as the case may be.

Explanation :— For the purpose of this sub-section, “net-owned funds” shall mean the aggregate of the paid-up capital and free reserves as disclosed in the last audited balance sheet of the company or co-operative society, as reduced by the amount of accumulated balance of loss deferred revenue, expenditure and other intangible assets, if any, as disclosed in the said balance sheet.

14. *Utilisation of funds.*—(1) No person carrying on chit business shall utilise the moneys collected in respect of such business other than commission or remuneration payable to such person or interest or penalty, if any, received from a defaulting subscriber except for,—

- (a) carrying on chit business ; or
- (b) giving loans and advances to non-prized subscribers on the security of subscriptions paid by them ; or
- (c) investing in trustee securities within the meaning of section 20 of the Trusts Act (Samvat) 1977 ; or
- (d) making deposits with approved banks mentioned in the chit agreement.

(2) Where any person carrying on chit business has utilised the moneys collected in respect of such business before the commencement of this Act, otherwise than for the purposes specified in sub-section (1), he shall secure that so much of such moneys as have not been realized before such commencement are realised before the expiry of a period of three years from such commencement :

Provided that the Government may, if it considers it necessary in the public interest or for avoiding any hardship, extend the said

period of three years by such further period or periods not exceeding one year in the aggregate.

15. *Alternation of chit agreement.*—A chit agreement shall not be altered, added to or cancelled except with the consent in writing of the foreman and all the subscribers to the chit.

16. *Date, time and place of conducting chits.*—(1) Every draw in a chit shall be held on the date, at the time and place mentioned in the chit agreement and notice therefore in such form and in such manner as may be prescribed shall be issued by the foreman to all the subscribers.

(2) Every such draw shall be conducted in accordance with the provisions of the chit agreement and in the presence of not less than two subscribers.

(3) Where any draw was not conducted on the ground that two subscribers required to be present at a draw under sub-section (2) were not present or on any other ground, the Registrar may, on his own motion or on an application made by the foreman or any of the subscribers, direct that the draw shall be conducted in his presence or in the presence of any person deputed by him.

17. *Minutes of proceedings.*—(1) The minutes of the proceedings of every draw shall be prepared and entered in a book to be kept for that purpose immediately after the closure of the draw and shall be signed by the foreman, the prized subscribers, if present, or their authorised agents, and at least two other subscribers who are present, and where a direction has been made under sub-section (3) of section 16, also by the Registrar or the person deputed by him under that sub-section.

(2) The minutes referred to in sub-section (1) shall state clearly,—

- (a) the date and hour when proceedings began and ended and the place where the draw was held ;
- (b) the number of the instalments of the chit to which the proceedings relate ;
- (c) the names of the subscribers present ;
- (d) the person or persons who become entitled to the prize amount in the instalment ;
- (e) the amount of discount ;
- (f) full particulars regarding the disposal of the unpaid prize amount, if any, in respect of any previous instalments ; and
- (g) any other particulars that may be prescribed.

18. *Copies of minutes to be filed with Registrar.*—A true copy of the minutes of the proceedings of every draw certified as such by the foreman shall be filed by the foreman with the Registrar within twenty-one days from the date of the draw to which it relates.

19. *Restriction on opening of new place of business.*—(1) No person carrying on chit business shall open a new place of business without obtaining the prior approval of the Registrar within whose territorial jurisdiction his registered office or, as the case may be, the place or the principal place of business is situated.

(2) Before granting approval under sub-section (1), the Registrar shall consult the Registrar within whose territorial jurisdiction the new place of business is proposed to be opened and shall also keep in view

the financial condition and methods of operation of the foreman, the extent to which public interest will be served by the opening of the new place of business and such other matters as may be prescribed.

(3) Where a person carrying on chit business opens a new place of business in a State other than the State (hereinafter referred to as the State of origin) in which his registered office or the place or the principal place of his business is situated, the Registrar of the State in which such new place of business is opened may also exercise and perform any of the powers and functions which the Registrar of the State of origin may exercise and perform in respect of the chit business carried on at such new place of business.

(4) For the purposes of this section, “place of business” shall include any branch office, sub-office, or any place of business where the chit business may be conducted by such person.

CHAPTER III

Rights and Duties of Foreman

20. *Security to be given by foreman.*—(1) For the proper conduct of the chit, every foreman shall, before applying for a previous sanction under section 4,—

- (a) deposit in an approved bank an amount equal to the chit amount in the name of the Registrar ; or
- (b) transfer Government securities of the face value or market value (whichever) of not less than one and a half times the chit amount in favour of the Registrar ; or
- (c) transfer in favour the Registrar such other securities, being securities in which a trustee may invest money under

section 20 of the Trusts Act (Samvat 1977) of such value, as may be prescribed by the Government from time to time ; Provided that the value of the securities referred to in Clause (c) shall not in any case, be less than one and a half times the value of the chit amount.

(2) Where a foreman, conducts more than one chit, he shall furnish security in accordance with the provisions of sub-section (1) in respect of each chit.

(3) The Registrar may, at any time during the currency of the chit, permit the substitution of the security :

Provided that the face value or market value (whichever is less) of the substituted security shall not be less than the value of security given by the foreman under sub-section (1).

(4) The security given by the foreman under sub-section (1), or any security substituted under sub-section (3), shall not be liable to be attached in execution of a decree or otherwise until the chit is terminated and the claims of all the subscribers are fully satisfied.

(5) Where the chit is terminated and the Registrar has satisfied himself that the claims of all the subscribers have been fully satisfied, he shall order the release of the security furnished by the foreman under sub-section (1), or the security substituted under sub-section (3), as the case may be, and in doing so, he shall follow such procedure as may be prescribed.

(6) Notwithstanding anything to the contrary contained in any other law for the time being in force, the security furnished under this section shall not be dealt with by the foreman during the currency of

the chit to which it relates and any dealing by the foreman with respect thereto by way of transfer or other encumbrances shall be null and void.

21. *Rights of foreman.*—(1) The foreman shall be entitled,—

- (a) in the absence of any provision in the chit agreement to the contrary, to obtain the chit amount at the first instalments without deduction of the discount specified in the chit agreement, subject to the condition that he shall subscribe to a ticket in the chit :

Provided that in a case where the foreman has subscribed to more than one ticket, he shall not be eligible to obtain more than one chit amount in a chit without discount ;

- (b) to such amount not exceeding five per cent of the chit amount as may be fixed in the chit agreement, by way of commission, remuneration or for meeting the expenses of running the chit ;
- (c) to interest and penalty, if any, payable on any default in the payment of instalments and to such other amounts as may be payable to him under the provisions of the chit agreement ;
- (d) to receive and realize all subscriptions from the subscribers and to distribute the prize amounts to the prized amounts to the prized subscribers ;
- (e) to demand sufficient security from any prized subscriber for the due payment of future subscriptions payable by him.

Explanation :— A security shall be deemed to be sufficient for the purpose of this clause if its

value exceeds by one-third, or if it consists of immoveable properties, the value of which exceeds by one-half, of the amount due from prized subscriber.

- (f) to substitute subscribers in place of defaulting subscriber ; and
- (g) to do all other act that may be necessary for the due and proper conduct of the chit.

(2) Where any dispute arises with regard to the value of the property offered as security under clause (e) of sub-section (1), it shall be referred to the Registrar for arbitration under section 64.

22. *Duties of foreman.*—(1) The foreman shall, on the prized subscriber furnishing sufficient security for the due payment of future subscriptions, be bound to pay him the prize amount :

Provided that the prized subscriber shall be entitled to the payment of the prize amount without any security whatsoever if he agrees to the deduction therefrom of the amount of all future subscriptions and in such a case, the foreman shall pay the prize amount to the prized subscriber within seven days after the date of the draw or before the date of the next succeeding instalments, whichever is earlier :

Provided further that where the prize amount has been paid to the prized subscriber under the first proviso, the amount deducted shall be deposited by the foreman in an approved bank mentioned in the chit agreement and he shall not withdraw the amount so deposited except for the payment of future subscriptions.

(2) If, owing to the default of the prized subscriber, the prize amount due in respect of any draw remains unpaid until the date of

the next succeeding instalments, the foreman shall deposit the prize amount forthwith in a separated account in an approved bank mentioned in the chit agreement and intimate in writing the fact of such deposit and the reasons therefore to the prized subscriber and the Registrar :

Provided that where any prized subscriber does not collect the prize amount in respect of any instalments of a chit within a period of two months from the date of the draw, it shall be open to the foreman to hold another draw in respect of such instalments.

(3) Every payment of the prize amount or the amount of future subscriptions under sub-section (1), and the deposit of the prize amount under sub-section (2), shall be intimated to the subscribers at the next succeeding draw and the particulars of such payment or deposit shall be entered in the minutes of the proceedings of that draw.

(4) The foreman shall not appropriate to himself any amount in excess of what he is entitled to under clause (b) or clause (c) of sub-section (1) of section 21 :

Provided that where the foreman is himself a prized subscriber, he shall be entitled to appropriated to himself the prize amount subject to his complying with provisions of section 31:

Provided further that the foreman may appropriate to himself the interest accruing on the amount deposited under the second proviso to sub-section (1).

(5) The foreman shall not admit any person as a subscriber to a chit, if, by such admission, the total number of tickets mentioned in the chit agreement is increased.

(6) The foreman shall distribute among the subscribers in accordance with the chit agreement, the dividend either in cash, grain or by way of adjustment towards the subscriptions payable for the next instalments, if any.

23. *Books, records etc. to be kept by foreman.*—The foreman shall maintain in the registered office, or, as the case may be, in the place or the principal place of his business, or where the foreman has any branch office, sub-office or any place of business for the conduct of chit business in the State :—

(a) a register containing—

- (i) the names and full particulars of the subscribers in each chit together with the number of tickets held by each subscriber ;
- (ii) the dates on which the subscribers signed the chit agreement ; and
- (iii) in the case of an assignment of a ticket by a subscriber, the name and full address of the assignee with the date of assignment and the date on which the assignment had been recognized by the foreman.

(b) a book containing the minutes of the proceedings of each draw ;

(c) a ledger containing—

- (i) the amounts paid to the prized subscribers in each chit and the dates of such payments ;
- (ii) the amounts paid to the prized subscribers and the dates of such payments ; and

- (iii) in the case of any deposit in an approved bank mentioned in the chit agreement, the date and the amount of such deposit ;
- (d) a register in the prescribed form showing the amounts deposited in approved banks as required under the provisions of this Act in respect of all chits conducted by the foreman at his office ; and
- (e) such other registers and books in such form as may be prescribed by the State Government within whose jurisdiction the chit is conducted.

24. *Balance sheet.*—Without prejudice to the provisions of the Companies Act, 2013 (Act 18 of 2013), every foreman shall prepare and file with the Registrar within such time as may be prescribed, a balance sheet as on the last date of each calendar year, or, as the case may be, the financial year of the foreman and a profit and loss account relating to the year of account, in the forms set out in Parts I and II of the Schedule, or as near thereto as circumstances admit, in respect of the chit business and audited by auditors qualified to act as auditors under the Companies Act, 2013, or by a chit auditor appointed under section 61 :

Provided that where a balance sheet is audited by an auditor qualified to act as auditor under the Companies Act, 2013 a chit auditor appointed under section 61 shall have the right to audit the balance sheet at any time if so authorised by the Registrar in this behalf.

25. *Liability of foreman to subscribers.*—(1) Every foreman shall be liable to account to the subscribers for the amounts due to them.

(2) Where there are more than one foreman in a chit, each one of them jointly and severally and, if the foreman is a firm or other

association of individuals, each one of the partners or individuals thereof jointly and severally and, if the foreman is a company, the company as such, shall be liable to the subscribers in respect of the obligations arising out of the chit.

26. *Withdrawal of foreman.*—(1) No foreman, or where there are more than one foreman in a chit, none of them shall withdraw from the chit until its termination unless such withdrawal is assented to in writing by all the non-prized and unpaid prized subscribers and a copy of such assent has been filed with the Registrar under section 41.

(2) The withdrawal from a chit of any one of the foreman shall not effect the security given by him under section 20 or section 31.

CHAPTER IV

Rights and Duties of Non-Prized Subscribers

27. *Non-prized subscribers to pay subscriptions and obtain receipts.*—Every non-prized subscriber shall pay his subscription due in respect of every instalments on the dates and time and at the places mentioned in the chit agreement and shall, on such payment, be entitled to obtain a receipt from the foreman.

28. *Removal of defaulting subscribers.*—(1) A non-prized subscriber who defaults in paying his subscription in accordance with the terms of the chit agreement shall be liable to have his name removed from the list of subscribers and a written notice of such removal shall be given by the foreman to the defaulting subscriber within fourteen days of the date of such removal :

Provided that if the defaulter pays the defaulted instalments with interest at such rate as may be prescribed within seven days of the date of receipt of such notice, his name shall be re-entered in the list of such subscribers.

(2) Every such removal under sub-section (1), shall with the date thereof, be entered in the relevant book maintained by the foreman.

(3) A true copy of the entry referred to in sub-section (2), shall be filed by the foreman with the Registrar within fourteen days from the date of removal.

(4) Any defaulting subscriber aggrieved by the removal of his name from the list of subscribers may, within seven days of the date of receipt of the notice of removal refer the matter to the Registrar for arbitration under section 64.

29. *Substitution of subscribers.*—(1) A foreman may substitute in the list of subscribers any person (hereinafter in this Chapter referred to as the substituted subscriber) in place of the defaulting subscriber whose name has been removed under sub-section (1) of section 28.

(2) Every substitution referred to in sub-section (1) shall, with the date thereof, be entered in the relevant book maintained by the foreman and a true copy of every such entry shall be filed by the foreman with the Registrar within fourteen days from the date of substitution.

30. *Amounts due to defaulting subscribers.*—(1) A foreman shall, out of the amounts payable by and realized from the substituted subscriber towards the instalments relatable to the period before the date of the substitution (including the arrears due from the defaulting subscriber), deposit, before the date of the next succeeding instalments, in a separate identifiable account in an approved bank mentioned in the chit agreement, an amount equal to the contributions made by the defaulting subscriber less such deductions as may be provided for in the chit agreement, and shall inform the defaulting subscriber as well as the Registrar of the fact of such deposit and shall not withdraw the amount so deposited except for payment of the defaulting subscriber.

(2) The amount so deposited under sub-section (1) shall be paid to the defaulting subscriber as and when he claims the amount and

the amount so deposited shall not be withdrawn by the foreman for any purpose other than for such payment.

(3) The contributions of any defaulting subscriber who has not been substituted till the termination of the chit shall be paid to him within fifteen days from the date of termination of the chit subject to such deduction as may be provided for in the chit agreement.

CHAPTER V

Rights and Duties of Prized Subscribers

31. *Prized subscriber to furnish security.*—Every prized subscriber shall, if he has not offered to deduct the amount of all future subscriptions from the prize amount due to him, furnish, and a foreman shall take, sufficient security for the due payment of all future subscriptions and, if the foreman is prized subscriber, he shall give security for the due payment of all the future subscriptions to the satisfactions of the Registrar.

32. *Prized subscriber to pay subscriptions regularly.*—Every prized subscriber shall pay his subscriptions regularly on the dates and times and at the place mentioned in the chit agreement and, on his failure to do so, he shall be liable to make a consolidated payment of all the future subscriptions forthwith.

33. *Foreman to demand future subscriptions by written notice.*—(1) A foreman shall not be entitled to claim a consolidated payment from a defaulting prized subscriber under section 32 unless he makes a demand to that effect in writing.

(2) Where a dispute is raised under this Act by a foreman for a consolidated payment of future subscriptions from a defaulting prize

subscriber and if the subscriber pays to the foreman on or before the date to which the dispute is posted for hearing the arrears of subscriptions till that date together with the interest thereon at the rate provided for in the chit agreement and the cost of adjudication of the dispute, the Registrar or his nominee hearing the dispute shall, notwithstanding any contract to the contrary, make an order directing the subscriber to pay to the foreman the future subscriptions on or before the dates on which they fall due, and that, in case of any default of such payments, by the subscriber, the foreman shall be at liberty to realize, in execution of that order, all future subscriptions and interest together with the costs, if any, less the amount, if any, already paid by the subscriber in respect thereof :

Provided that if any such dispute is on a promissory note, no order shall be passed under this sub-section unless such promissory note expressly states that the amount due under the promissory note is towards the payment of subscriptions to the chit.

(3) Any person who holds any interest in the property furnished as security or part thereof, shall be entitled to make the payment under sub-section (2).

(4) All consolidated payment of future subscriptions realised by a foreman shall be deposited by him in an approved bank mentioned in the chit agreement before the date of the succeeding instalments and the amount so deposited shall not be withdrawn except for payment of future subscriptions.

(5) Where any property is obtained as security in lieu of the consolidated payment of future subscriptions, it shall remain as security for the due payment of future subscription.

CHAPTER VI

Transfers

34. *Restrictions on transfer of rights of foreman.*—(1) No transfer of the rights of a foreman to receive subscriptions from the prized subscribers shall be made without the previous sanction in writing of Registrar

(2) Any transfer of the rights of a foreman to receive subscriptions from the prized subscribers shall, if it is likely to defeat or delay the interests of a non-prized or unpaid prized subscriber, be voidable at the instance of such subscriber.

(3) When under sub-section (2), a transfer is disputed by a subscriber, the burden of providing that the foreman was insolvent circumstances at the time of the transfer and that the transfer does not defeat or delay the interests of such subscriber is on the transferee.

35. *Transfer of non-prized subscriber's right to be in writing.*—Every transfer by a non-prized subscriber of his rights in the chit shall be in writing duly attested by at least two witnesses and shall be filed with the foreman.

36. *Recognition of transfer by foreman.*—Every transfer under section 35 shall, within a period of fourteen days from the date of receipt of the proposal for transfer by the foreman, be recognized by him unless the transferee is not solvent or the transfer was effected with a view to defeating the provisions of any law including this Act and the decision of the foreman to recognize the transfer or not shall forthwith be communicated to the parties concerned.

37. *Entry of transferee's name in the books.*—Every transfer under section 34 or section 35 shall be entered by the foreman in

the books of the chit forthwith and a true copy of such entry shall be filed by the foreman with the Registrar within fourteen days from the date of making such entry.

CHAPTER VII

Meetings of General Body of Subscribers

38. *Meetings of general body of subscribers.*—(1) The foreman may, on his own motion, convene a special meeting of the general body of subscribers for considering any proposal to pass a special resolution.

(2) The foreman shall convene such a meeting on the requisition in writing of not less than twenty-five per cent of the number of non-prized and unpaid prized subscribers, and the meeting so convened shall be held within thirty days of the date of receipt of the requisition and if the foreman refuses or fails to call such a meeting within fourteen days of the date of receipt of such requisition, not less than twenty-five per cent of the number of non-prized and unpaid prized subscribers may give notice of the fact to the Registrar.

(3) The Registrar shall, within twenty-one days of the receipt of the notice under sub-section (2), convene or direct the convening of a special meeting of the general body of the subscribers and on receipt of such a direction, it shall be the duty of the foreman to comply with such direction.

(4) Notice of not less than fourteen days shall be given to all the subscribers of a meeting under this section specifying the object, date, hour and place of meeting and a copy of the special resolution shall also be sent along with the notice of the meeting.

Explanation :—For the purpose of this section and section 39, “Special resolution” means a resolution which is passed at a

meeting of the general body of the subscribers specially convened for the purpose by a majority of not less than two-thirds of the subscribers to the chit present at the meeting in person or by proxy and representing not less than three-fourths of the amount or, as the case may be, the value of the grain, subscribed by all non-prized and unpaid prized subscribers, if any.

CHAPTER VIII

Termination of Chits

39. *Provisions for continuation of chits in certain cases.*—

(1) Where a foreman dies or becomes of unsound mind or is otherwise incapacitated, the chit may continue in accordance with the provisions of the chit agreement

(2) Where a foreman is adjudicated an insolvent, or withdraws from the chit under section 26, or fails to conduct the chit at any instalments or on any other date before the next succeeding instalments as may have been agreed upon by a special resolution, any one or more of such subscribers authorised by such resolution may, in the absence of any provision in the chit agreement for the future conduct of the chit, take the place of the foreman and continue the chit or make other arrangements for the further conduct the chit.

40. *Termination of chits.*—A chit shall be deemed to have terminated,—

- (a) when the period specified there for in the chit agreement has expired provided the payment of dues to all the subscribers has been completed ; or
- (b) when all the non-prized and unpaid prized subscribers and the foreman consent in writing to the termination of the

chit and a copy of such consent is filed with the Registrar as required under section 41 ; or

- (c) where a foreman dies or becomes of unsound mind or is otherwise incapacitated and the chit is not continued in accordance with the provisions of the chit agreement :

Provided that, in a case where the foreman is a firm, if a partner thereof dies or becomes of unsound mind or is otherwise incapacitated, the chit shall not be deemed to have terminated and the surviving partner or partners shall conduct the chit in the absence of any provision to the contrary in the chit agreement.

41. Copy of assent or consent to be filed with Registrar.—

A true copy of every assent referred to in section 26 and of every consent referred to in clause (b) of section 40 with their dates shall be filed by the foreman or by the surviving partner or partners, as the case may be, with the Registrar within fourteen days from the date of such assent or consent.

*42. Refund of non-prized subscriber's subscriptions.—*Except in the cases referred to in clauses (a) and (b) of section 40,—

- (a) every non-prized subscriber shall, unless otherwise provided for in this Act or in the chit agreement, be entitled to get back his subscriptions at the termination of the chit without any deduction for dividend, if any, earned by him :

Provided that, any person to whom the rights of a non-prized subscriber are transferred in accordance with the provisions of section 35, shall, in addition to his own subscription, be entitled to get back the subscriptions paid

by such non-prized subscriber, subject to the conditions specified in this section ;

- (b) if a chit terminates on a date earlier than the date originally fixed in the chit agreement, the non-prized subscriber's claim shall be deemed to have arisen on the date on which he has notice thereof.

43. *Subscriber's dues to be first charge on chit assets.*—

Any amount due to the subscriber from a foreman in relation to the chit business shall be a first charge on the chit assets.

CHAPTER IX

Inspection of Documents

44. *Foreman to allow certain subscribers to inspect chit records.*—Every foreman shall, on payment of such fee not exceeding five hundred rupees as may be specified in the chit agreement, allow the non-prized subscribers and unpaid prized subscribers reasonable facilities on all the dates of draw or on such other dates and within such hours as may be provided for in the chit agreement, for the inspection of security bonds and documents, receipts and other records taken from the prized subscribers, or furnished by the foreman as a subscriber and all the chit records, including books of accounts, pass-books, balance sheet and profit and loss accounts and such other records as may show the actual financial position of the chit.

45. *Preservation of chit records by foreman.*—All the records pertaining to a chit shall be kept by the foreman for a period of eight years from the date of termination of the chit.

46. *Inspection of chit books and records by Registrar.*—

(1) Without prejudice to the provisions of any law for the time being in force in the State, the Registrar or an officer authorised by the

Government in this behalf may inspect chit books and all the records of a chit during working hours on any working day at the premises of the foreman with or without giving notice and it shall be the duty of every foreman to produce to the Registrar or the officer so authorised, all such books and records as are in his custody or power and to furnish him with any statement or information relating to the chits as he may require from the foreman within such time as he may specify.

(2) The Registrar or an officer authorised by the Government in this behalf may, after giving seven days notice in writing to the foreman, direct him to produce before him for inspection such chit books and records as he may require at the time and place mentioned in the notice.

(3) If on an inspection made under sub-section (1) or sub-section (2), any defects are found, the Registrar may bring such defects to the notice of the foreman and may also make an order directing the foreman to take such action as may be specified in the order to remedy the defects within the time specified therein.

(4) Every foreman shall be bound to comply with the directions contained in an order made under sub-section (3).

47. Power of Reserve Bank to inspect chit books and records.—(1) Nothing in section 46 shall be deemed to affect the power of the Reserve Bank to inspect the books and records of any foreman under the provisions of section 45-N of the Reserve Bank of India Act, 1934 (Central Act No. 2 of 1934).

(2) The Reserve Bank may, if it considers necessary, forward a copy of its report or of any part of its report on the inspection of the books and records of a foreman to the foreman for taking necessary action.

(3) Every foreman shall, on receipt of the report or part thereof under sub-section (2), be bound to comply with the directions, if any, given by the Reserve Bank in this behalf and shall, if so required, submit periodical reports in regard to the action taken by him.

(4) The Reserve Bank may also forward a copy of the report on the inspection of the books and records of a foreman to the State Government within whose jurisdiction the registered office of the company, if the foreman is a company, or the place or the principal place of business of the foreman in any other case, is situated for such action as may be considered necessary.

CHAPTER X

Winding up of Chits

48. *Circumstances under which chits may be wound up.*—A chit may be wound up the Registrar within whose territorial jurisdiction the chit has been registered, either on his own motion or on an application made by any non-prized or unpaid prized subscriber,—

- (a) if the chit has terminated under clause (c) of section 40 ; or
- (b) if the foreman commits any such act in respect of the security specified in section 20 as is calculated to impair materially the nature of the security or the value thereof ; or
- (c) if he fails to deposit any amount required to be deposited under any of the provisions of this Act ; or
- (d) if it is proved to the satisfaction of the Registrar that the foreman is unable to pay the amounts due to the subscribers ; or
- (e) if the execution or other process issued on an order passed by the Registrar in favour of any subscriber in respect of

amounts due to him from the foreman in relation to the chit business is returned unsatisfied in whole or in part ; or

- (f) if it is proved that there has been a fraud or collusion on the part of the foreman in the matter of taking securities from any prized subscriber ; or
- (g) if the foreman has appropriated the prize amount in his capacity as a subscriber without furnishing sufficient security for future subscriptions ; or
- (h) if the Registrar is satisfied that the affairs of the chit are being conducted in a manner prejudicial to the interests of the subscribers ; or
- (i) if it is just and equitable that the chit should be wound up.

Explanation :—For the purpose of clause (d), in determining whether the foreman is unable to pay the amount due to the subscribers, the Registrar shall take into account his contingent and future liabilities in respect of the chit.

49. *Application for winding up.*—An application for the winding up of a chit shall be made by a petition presented by any non-prized or unpaid prized subscriber to the Registrar signed and verified in the manner laid down by the Code of Civil Procedure, Samvat 1977, and shall contain such particulars as may be prescribed :

Provided that no application for the winding up of a chit under clause (d) or clause (i) of section 48 shall lie unless such application is presented,—

- (a) by non-prized and unpaid prized subscribers representing not less than twenty-five per cent of the amount or, as

the case may be, the value of the grain subscribed by all the non-prized and unpaid prized subscribers, if any ; or

(b) with the previous sanction of the Government.

Explanation :—For the purposes of clause (a) of the proviso, a subscriber of a fraction of a ticket shall be deemed to be a subscriber only to the extent of such fraction.

50. *Bar to winding up proceedings.*—Notwithstanding anything contained in section 48 and section 49, no petition for the winding up of a chit shall be entertained by the Registrar,—

- (a) if proceedings relating to insolvency are pending against the foreman ; or
- (b) where the foreman is a firm, is proceedings relating to insolvency are pending against all the partners or all the partners except one thereof, or proceedings for the dissolution of the firm are pending ; or
- (c) where the foreman is a company or co-operative society, if proceedings of the winding-up of such company or co-operative society are pending.

51. *Commencement and effect of winding up order.*—An order for the winding up of a chit shall operated in favour of all the subscribers to whom amounts are due from the foreman and it shall be deemed to have commenced from the date of the presentation of the application for the winding up.

52. *Injunction order.*—The Registrar may, on the application of the foreman of any subscriber to whom amounts are due in respect of a chit, at any time after the presentation of the application for the

winding up of the chit under this Act and before the making of an order for the appointment of an interim receiver or for the winding up of the chit, restrain any other proceedings instituted against the foreman for the realisation of amounts due from him on such terms as the Registrar thinks fit.

53. *Powers of Registrar.*—The Registrar may, after hearing an application under this Chapter, dismiss it with or without costs, or adjourn the hearing conditionally or unconditionally or make an interim or any other order that he deems fit.

54. *Vesting of chit assets in Registrar or other person.*—On the making of an order for the winding up of a chit, all the chit assets pertaining to such chit shall vest in the Registrar or in any person appointed by him for distribution amongst the subscribers to whom amounts are due in respect of the chit.

55. *Suits, etc. to be stayed, on the making of a winding up order.*—No suit or other legal proceedings shall be continued or commenced against the foreman by a subscriber for the realization of amounts due to him in respect of the chit except with the leave of the Registrar winding up the chit and on such terms as he may impose.

56. *Notification of winding up order.*—On the making of a winding up order, the Registrar shall make an entry in his book relating to the chit and shall notify in the Government Gazette that the order has been made.

57. *Cessation of winding up proceedings on insolvency of foreman, etc. or the winding up of the company and transfer of such proceedings.*—Where during the pendency of the proceedings for the winding up of a chit, the foreman is adjudicated an insolvent, or where the foreman is a firm, all the partners or all the partners except one thereof are adjudicated insolvents, or where the foreman

is a company, the company has been ordered to be wound up by the Court, the winding up proceeding under this chapter shall cease and the distribution of the chit assets shall, subject of the provisions of section 43 and section 52, be made by all the insolvency Court or the Court winding up the company, as the case may be.

58. *Award of compensation to foreman.*—(1) Where an application for the winding up of a chit is dismissed and the Registrar is satisfied that the petition, is frivolous or vexatious, he may, on the application of the foreman, award against the petitioner such amount, not exceeding one thousand rupees, as he deems reasonable as compensation to the foreman for the expenses or injury caused to him by the presentation of the application and the proceedings thereon, and such amount may be realised as if the award were a decree of a Civil Court.

(2) On the making of an award under sub-section (1), no suit for compensation in respect of an application for any winding up of the chit shall be entertained.

59. *Right to appeal.*—The foreman or any subscriber or any other person aggrieved by a decision or order of the Registrar in any proceedings for the winding up a chit may, within sixty days from the date of such decision or order, appeal to the Government.

60. *Limitation.*—(1) Where an order refusing to wind up a chit has been made under this Act, the chit shall be deemed to have been under suspension from the date of presentation of the application to the date of such order in respect of non-prized subscribers ; and, notwithstanding anything contained in the chit agreement, no non-prized subscriber who was not a defaulter on the date of the presentation of the petition for winding up, shall be deemed to be a defaulter on the date of such order.

(2) Where an order refusing to wind up a chit has been made under this Act, in computing a period of limitation prescribed for any suit or other legal proceedings (other than a suit or application in respect of which the leave of the court had been obtained) which might have been brought or instituted, but for the presentation of the application for the winding up of the chit, the period from the date of the presentation of the application to the date of the order refusing to wind up a chit shall be excluded.

(3) Nothing contained in this Chapter shall effect the rights of a subscriber to proceed against the foreman personally for the balance, if any, of the amount due to him after the declaration of the final dividend in the proceedings for the winding up of the chit and in computing the period of limitation prescribed for any such proceedings, the period from the date of the presentation of the application for the winding up the chit to the date of the declaration of the final dividend shall be excluded.

CHAPTER XI

Appointment of Officers and Levy of Fees

61. *Appointment of Registrar and other officers.*—(1) State Government may, by notification in the Government Gazette, appoint a Registrar of Chits and as many Additional, Joint, Deputy and Assistant Registrars as may be necessary for the purpose of discharging the duties imposed upon the Registrar by or under this Act.

(2) The Registrar may appoint as many inspectors of chits and chit auditors as may be necessary for the purpose of discharging the duties imposed on the inspectors of chits or chit auditors by or under this Act.

(3) All inspectors of chits and chit auditors shall discharge the duties imposed upon them by or under this Act under the general superintendence and control of the Registrar.

(4) If the Registrar is of opinion that the accounts of any chit are not properly maintained and that such accounts should be audited, by a chit auditor.

(5) It shall be the duty of the foreman of the chit whose accounts are to be audited by a chit auditor under sub-section (4) to produce before the chit auditor, all accounts, books and other records relating to the chit, to furnish him with such information as may be required and afford him all such assistance and facilities as may be necessary and reasonable with regard to the audit of the accounts of the chit.

(6) The foreman shall pay to the chit auditor such fees as may be prescribed for the audit of accounts of the chit under sub-section (4) :

Provided that different scales of fees may be prescribed for different chits depending on the quantum of the chit amount.

62. *Inspection of documents in Registrar's office.*—The foreman of a chit or any subscriber in a chit or the heirs or legal representatives of any foreman or subscriber may, on payment of such fees as may be prescribed,—

- (a) inspect the documents of the concerned chit kept by the Registrar ; or
- (b) obtain a certified copy or an extract of any such document on record.

63. *Levy of fees.*—(1) There shall be paid to the Registrar such fees as the Government may, from time to time, prescribe for—

- (a) the issue of previous sanction under section 4 ;
- (b) the filing of the chit agreement of the Registrar and the registration of the chit under section 7 ;

- (c) the filing of a declaration with the Registrar and the grant of a certificate of commencement under section 9 ;
- (d) the filing of copies of documents under any of the provisions of this Act ;
- (e) the audit of the accounts of the foreman under section 61 ;
- (f) the inspection of documents under section 62 ;
- (g) the obtaining of certified copies or extracts of documents and records under section 62 ; and
- (h) such other matters as may appear necessary to the Government.

(2) A table of fees prescribed under sub-section (1) shall be exhibited on a notice board in the office of the Registrar.

CHAPTER XII

Disputes and Arbitration

64. *Disputes relating to chit business.*—Notwithstanding anything contained in any other law for the time being in force, any dispute touching the management of chit business shall be referred by any of the parties to the dispute, to the Registrar for arbitration if each party thereto is one or the other of the following, namely :—

- (a) a foreman, a prized subscriber or a non-prized subscriber, including a defaulting subscriber, past subscriber or a person claiming through a subscriber, or a deceased subscriber to a chit ;

- (b) a surety of a subscriber, past subscriber, or a deceased subscriber.

Explanation :— For the purpose of this sub-section, a dispute touching the management of a chit business shall include,—

- (i) a claim by or against a foreman for any debt or demand due to him from a subscriber, or due from him to a subscriber, past subscriber or the nominee, heir or legal representative of a deceased subscriber whether such debt or demand is admitted or not ;
- (ii) a claim by a surety for any sum or demand due to him from the principal borrower in respect of a loan by a foreman and recovered from the surety owing to the default of the principal borrower, whether such sum or demand is admitted or not ; and
- (iii) a refusal or failure by a subscriber, past subscriber or the nominee, heir or legal representative of a deceased subscriber to deliver possession to a foreman of land or any other asset resumed by him for breach of conditions of the assignment.

(2) Where any question arises as to whether any matter referred to for the award of the Registrar is a dispute or not for the purpose of sub-section (1), the same shall be decided by the Registrar whose decision thereon shall be final.

(3) No Civil Court shall have jurisdiction to entertain any suit or other proceedings in respect of any dispute referred to in sub-section (1).

65. *Period of limitation.*—(1) Notwithstanding anything contained in the Limitation Act (Samvat) 1995, but subject to the specific provisions contained in this Act, the period of limitation in the case of dispute referred to the Registrar under section 64, shall,—

- (a) if the dispute relates to the recovery of any sum, including interest thereon, due to a foreman from a deceased subscriber, be three years, computed from the date on which such subscriber dies or ceases to be a subscriber ; or
- (b) if the dispute is between a foreman and a subscriber or a past subscriber, or the nominee, heir or legal representative of a deceased subscriber, and the dispute relates to any act or omission on the part of either party to the dispute, be three years from the date on which the act or omission with reference to which the dispute arose, took place.

(2) The period of limitation in the case of any dispute other than those referred to in sub-section (1) which are required to be referred to the Registrar under section 64 shall be regulated by the provisions of the Limitation Act (Samvat) 1995, as if the dispute were a suit, and the Registrar, a Civil Court.

(3) Notwithstanding anything contained in sub-sections (1) and (2), the Registrar may admit a dispute after the expiry of the period of limitation specified therein if the applicant satisfies the Registrar

that he had sufficient cause for not referring the dispute within such period.

66. *Settlement of disputes.*—(1) If the Registrar is satisfied that any matter referred to him or brought to his notice is a dispute within the meaning of section 64, he shall, subject to such rules as may be prescribed, settle the dispute himself, or refer it for disposal to a person appointed by him (hereafter in this Chapter referred to as the nominee).

(2) Where any dispute is referred under sub-section (1) for settlement of the nominee, the Registrar may, at any time for reasons to be recorded in writing, withdraw such dispute from the nominee and may settle the dispute himself, or refer it again for settlement to any other nominee appointed by him.

67. *Procedure for settlement of disputes and powers of Registrar or nominee.*—(1) The Registrar or the nominee hearing a dispute under section 66, shall, in addition to the powers conferred on him under that section, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, Samvat 1977 in respect of the following matters, namely :—

- (a) summoning and enforcing the attendance of persons and examining them on oath ;
- (b) requiring the discovery and inspection of documents ;
- (c) receiving evidence on affidavit ;
- (d) requisitioning any public record or copies thereof from any Court or Office ;
- (e) issuing commissions for the examination of witnesses or documents ; and
- (f) any other matter which may be prescribed.

(2) Except with the permission of the Registrar or the nominee, no party shall be represented at the hearing of a dispute by a legal practitioner.

(3) (a) If the Registrar or the nominee is satisfied that any person, whether he is a subscriber or not has acquired any interest in the property of a person who is a party to a dispute, he may order that the person who has acquired the interest in the property may be joined as a party to the dispute and any decision that may be given by the Registrar or the nominee on the dispute shall be binding on the party so joined, in the same manner as if he were an original party to the dispute.

(b) Where a dispute has been referred in the name of a wrong person, or where all the necessary parties have not been included, the Registrar or the nominee any, if he is satisfied that it was due to a genuine mistake, or order any other person to be substituted or added as parties to the dispute at any stage of hearing of the dispute on such terms as he thinks just.

(c) The Registrar or the nominee may, at any stage of the proceedings either upon or without the application of either party and on such terms as may appear to the Registrar or the nominee to be just, order that the name of any party improperly joined be struck off.

(d) Any person who is a party to the dispute and entitled to more than one relief in respect of the same cause of action may claim all or any such relief, but if he omits to claim any such relief, he shall not be entitled to claim that relief, except with the leave of the Registrar or the nominee.

68. *Attachment before judgment and other interlocutory orders.*—(1) Where a dispute has been referred under section 64 and the Registrar or the nominee hearing the dispute is satisfied on enquiry

or otherwise that a party to such dispute, with intent to defeat or obstruct the execution of any award or the carrying out of any order that may be made,—

- (a) is about to dispose of the whole or any part of his property ; or
- (b) is about to remove the whole or any part of the property from the jurisdiction of the Registrar,

he may, unless adequate security is furnished, direct conditional attachment of the said property, and such attachment shall have the same effect as if it is made by competent Civil Court.

(2) Where the Registrar or the nominee directs the attachment of any property under sub-section (1), he shall issue a notice calling upon the person whose property is so attached to furnish such security as he thinks adequate within a specified period, and if the person fails to provide such security, the Registrar or the nominee may confirm the order, and may, after the decision in the dispute, direct the disposal of the property so attached towards the claim, if awarded.

(3) Any attachment made under this section shall not effect the rights, subsisting prior to the attachment of the property, of persons who are not parties to the dispute, or bar any person holding a decree against the person whose property is so attached from applying for the sale of the property under the attachment of such decree.

(4) The Registrar or the nominee may, in order to prevent the ends of justice being defeated, make such interlocutory order pending the award in a dispute referred to in sub-section (1) as may appear to be just and convenient.

69. *Decision of Registrar or nominee.*—When a dispute is referred to arbitration under this Chapter, the Registrar or the nominee,

may after giving a reasonable opportunity to the parties to the dispute to be heard, make an award on the dispute, on the expenses incurred by the parties to the dispute in connection with the proceedings and the fees and expenses payable to the Registrar or the nominee, and such an award shall not be invalid merely on the ground that it was made after the expiry of the period, if any, fixed for deciding the dispute by the Registrar, and shall, subject to appeal under section 70, be final and binding on the parties to the dispute.

*70. Appeal against decision of Registrar or the nominee.—*Any party aggrieved by any order passed by the Registrar or the nominee or the award of the Registrar or the nominee under section 69, may, within two months from the date of the order or award, appeal to the State Government.

*71. Money how recovered.—*Every order passed by the Registrar or the nominee under section 68 or section 69 and every order passed by the Government in appeal under section 70 for the payment of any money shall, if not carried out,—

- (a) on a certificate issued by the Registrar, be deemed to be a decree of a such Court, and shall be executed in the same manner as a decree of such Court ; or
- (b) be executed in accordance with the provisions of any law for the time being in force for the recovery of amounts as arrears of land revenue :

Provided that no application for execution under clause (b) shall be made after the expiry of three years from the date fixed in the order, and if no such date is fixed, from the date of the order.

*72. Private transfer of property made after issue of certificate void against foreman.—*Any private transfer or delivery of, or encumbrance or charge on property made or created after the issue

of the certificate by the Registrar under section 71 shall be null and void against the foreman on whose application the said certificate was issued.

CHAPTER XIII

Miscellaneous

73. *Advisory role of Reserve Bank.*—The Reserve Bank may tender to the Government such advice on questions of policy with respect to this Act as it thinks fit either on its own motion or on a request made by the Government.

74. *Appeal.*—(1) Any foreman aggrieved by the decision of the Registrar,—

- (a) refusing to Registrar the chit agreement under section 7 ;
- (b) refusing to grant a certificate of commencement under sub-section (2) of section 9 ;
- (c) refusing to accept any security under sub-section (1) of section 20 or under section 31 ; or
- (d) refusing to release the security charged under section 20 or section 31,

may, within thirty days of the communication to him of such decision, appeal to the State Government or to such officer or authority as may be empowered by notification in the Government Gazette by the Government in that behalf.

(2) Any foreman or other person aggrieved by the order of the Registrar under sub-section (1) of section 34 may, within thirty days of the communication to him of such decision, appeal to the

Government or to such officer or authority as may be empowered by notification in the Government Gazette by the Government in that behalf.

(3) The Government or such officer or authority aforesaid may, after giving the appellant an opportunity of making his representation, pass such order on the appeal as it or he thinks fit such order shall be final.

75. Powers of Registrar to give extension of time for filing documents.—The Registrar may, in his discretion and upon an application in writing by a foreman made within the period specified for the filing of documents, under sub-section (3) of section 28, sub-section (2) of section 29, section 37 or section 41, allow the foreman further time not exceeding fifteen days to file copies of such documents.

76. Penalties.—(1) Whoever contravenes or abets the contravention of any of the provisions of sections 4, 5, 8, 9, 11, 12, 13, 14, 19, 20, 22, 24, 30, 31, sub-section (4) of section 33, sections 46, 47 or sub-section (5) of section 61 shall, on conviction be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five thousand rupees or with both.

(2) Any foreman,—

- (a) who fails to file any document required to be filed under this Act within the period specified therefore or within such further time as may be allowed ; or
- (b) who fails to comply with the requirements of the chit agreement regarding the date, time and place at which the chit is to be drawn or who fails to comply with the requirements of any direction given under sub-section (3) of section 38 ; or

- (c) who contravenes or fails to comply with any other requirement under this Act, shall on conviction, be punishable with fine which may extend to three thousand rupees.

(4) Whoever wilfully makes a statement in any document required to be filed under this Act which is false in any material particular shall, on conviction, be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five thousand rupees or with both.

77. Penalty for second and subsequent convictions.—If any person convicted of an offence under sub-section (1) or sub-section (3) of section 76 is again convicted of an offence under any of the said sub-sections he shall be punishable for the second and for every subsequent offence with imprisonment for a term which may extend to two years and shall also be liable to fine.

78. Application of fine.—A Court imposing any fine under this Act may direct that the whole or any part thereof shall be applied in, or towards payment of, the cost of the proceedings.

79. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence, was committed was incharge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation :—For the purposes of this section,—

(a) “company” means anybody corporate and includes a firm or other association of individuals ; and

(b) “director” in relation to a firm means a partner in the firm.

80. *Cognizance of offences.*—(1) All offences under the Act shall be cognizable.

(2) No Court inferior to that of a Judicial Magistrate of the 1st Class shall try an offence punishable under this Act.

81. *Power to compound offences.*—(1) Subject to such conditions as may be prescribed, any officer empowered by the Government in this behalf may, either before or after the institution of criminal proceedings under this Act, accept from the person who has committed or is reasonably suspected to have committed an offence under this Act, by way of composition of such offence, a sum of money not exceeding such amount as may be prescribed.

(2) Where an offence has been compounded under sub-section (1) the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence.

82. *Power to enter and search any place and to seize any documents.*—(1) If the Registrar or any other officer authorised by him in this behalf has reason to suspect that any person conducts, or is responsible for the conduct of a chit in any place in contravention

of the provisions of this Act, he may, for reasons to be recorded in writing and at any reasonable time, enter into and search such place, and may seize such books, registers, accounts, or documents as may be necessary.

(2) The Registrar or officer authorised by him in this behalf, may apply for assistance to an officer incharge of a police station and take police officers to accompany and assist him in discharging his duties under sub-sections (1), (3) all searches under sub-section (1) shall be made in accordance with the provisions of the Code of Criminal Procedure, Samvat 1989.

83. *Officers to be public servants.*—The Registrar and all officers appointed by the Government to perform any function under this Act shall be deemed to be public servants within the meaning of section 21 of the Ranbir Penal Code, Samvat 1989.

84. *Power to delegate.*—The State Government may, by notification in the Government Gazette, direct that any power (other than the power to hear appeals or to make rules) exercisable by it under this Act or the rules made thereunder may be exercised also by any officer of the State Government subject to such terms and conditions, if any, as may be specified therein.

85. *Act not to apply to certain chits.*—Nothing in this Act shall apply in respect of,—

- (a) any chit started before the commencement of this Act ; or
- (b) any chit the amount of which, or where two or more chits were started or conducted simultaneously by the same foreman, the aggregate amount of which does not exceed ten thousand rupees.

86. *Banks not to conduct chit business.*—(1) Notwithstanding anything contained in this Act, no bank shall commence or carry on chit business after the commencement of this Act, no bank shall commence or carry on chit business after the commencement of this Act.

(2) Where a chit had been started by any bank before such commencement, such chit may be continued after such commencement until it is completed, and the provisions of the chit agreement and such laws, if any, as were applicable to it immediately before the commencement of this Act shall apply to such chit.

Explanation :—For the purposes of this section “bank” means an approved bank or a co-operative bank as defined in clause (b-ii) of section 2 of the Reserve Bank of India Act.

87. *Power to exempt.*—The Government may, in consultation with the Reserve Bank, by notification in the Government Gazette, and subject to such conditions as may be specified in the notification, exempt any person or class of persons or any chit or class of chits from all or any of the provisions of this Act.

88. *Protection of action taken under the Act.*—No suit, prosecution or other legal proceedings shall lie against the Government, the Registrar or other officer of the Government or of the Reserve Bank or any of its officers exercising any powers or discharging any functions under this Act in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

89. *Power to make rules.*—(1) The Government may, by notification in the Government Gazette, make rules for giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all of the following matters, namely :—

- (a) the form and manner in which an application for obtaining the previous sanction may be made under sub-section (2) of section 4 ;
- (b) the additional particulars that a chit agreement may contain under clause (q) of sub-section (1) of section 6 ;
- (c) the particulars that may be included in the minutes of the proceedings of a draw under section 17 ;
- (d) the method of valuation by the Registrar in a grain chit for the purpose of furnishing security under section 20 ;
- (e) the procedure that may be followed by the Registrar in releasing the security furnished by the foreman under section 20 ;
- (f) the registers and books and the form in which such registers and books may be maintained by the foreman under section 23 ;
- (g) the time within which the balance sheet and the profit and loss account in respect of a chit business shall be filed under section 24 ;
- (h) the rate at which interest shall be payable on the defaulted instalments by a defaulted subscriber under section 28 ;
- (i) the particulars that may be included in an application for the winding up of chits under section 49 ;

- (j) the procedure to be followed for the winding up of chits under Chapter X ;
- (k) the fees payable under section 63 ;
- (l) the auditing of balance sheet and the profit and loss accounts of chit business and the issue of audit certificates ;
- (m) the form and manner in which a dispute shall be referred to the Registrar under section 64 ;
- (n) the procedure to be followed by the Registrar or his nominee for settling the disputes referred to him under section 64 ;
- (o) the matters referred to in clause (f) of sub-section (1) of section 67 ;
- (p) the conditions subject to which and the amount on the payment of which composition of offences may be made under section 81 ;
- (q) the form and manner in which an appeal may be preferred under this Act and the fees payable for such appeal ;
- (r) the issue and service of notices or other process under this Act ;
- (s) the procedure for, and the manner of, receiving any sum payable under this Act ;
- (t) any other matter which is required to be or may be prescribed.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature.

THE SCHEDULE

(See Section 24)

Part I-Form of Balance Sheet

Liabilities		Assets	
1. Capital	Rs.	1. Cash	Rs.
Authorised	Rs.		
Issued	Rs.	2. Balance with	
		Banks	
Paid-up	Rs.	(a) Current	
		Account	Rs.
		(b) Deposit	
		Account	Rs. Rs.
2. Reserve Fund	Rs.		
3. Deposits	Rs.	3. Investments	
		(a) In chits	Rs.
4. Borrowings	Rs.	(b) In Government	
		securities	Rs.
5. Foreman's liability	Rs.	(c) Others	Rs. Rs.
in tickets prized			
6. Prize amount	Rs.	4. Share amount	
payable		due from prized	
		subscribers	
7. Defaulted subscriber's	Rs.	(a) Secured	Rs.
amount payable		(b) unsecured	Rs. Rs.
8. Advance subscri-		5. Arrears due from	
ption received	Rs.	prized subscriber	
		(a) Secured	Rs.
9. Liability to		(b) Unsecured	Rs. Rs.
non-prized			
subscribers			

(Arrears from non-prized subscribers to be indicated)	Rs.	6. Amount due in terminated chits	
10. Amount payable in terminated chits	Rs.	(a) Secured	Rs.
		(b) Unsecured	Rs. Rs.
11. Auction profit payable to non-prized subscribers	Rs.	7. Chit prize amount paid ealier	Rs.
12. Other liabitties	Rs.	8. Loans and advances to subscribers	Rs.
13. Profit and loss account	Rs.	9. Litigation expenses	Rs.
		10. Premises	Rs.
		11. Furntiure and fixture	Rs.
		12. Stamps in stock	Rs.
		13. Other assets	Rs.
		14. Profit and loss account	Rs.
Total	Rs.	Total	Rs.

Total chit amounts of the chits in force, i. e. running chits.

Particulars to be specified in respect of amount shown against 4, 5 and 6

- (i) Amounts due from directors or officers of the company or any of them either jointly or severally with any other person ;
- (ii) Amounts due by companies or firms in which the directors of the company are interested as directors, partners or in the case of private companies, as members.

Part II-Form of profits and loss account

Expenditure		Income	
1. To interest paid on deposits, borrowings etc.	Rs.	1. By foreman's commission	Rs.
2. To salaries, allowances, bonus and provident fund		2. By bonus	Rs.
		3. By interest	Rs.
3. To directors sitting fees	Rs.	4. By indivisible income in auction proift	Rs.
4. To rent, taxes, insurance, lighting	Rs.		
5. To law charges	Rs.	5. By rent	Rs.
6. To postages, telegrams and stamps	Rs.	6. By net profit on sale of investment	Rs.
7. To auditor's fees	Rs.	7. By other receipts	Rs.
8. To filing fees	Rs.	8. By loss	Rs.
9. To depreciation and repairs	Rs.		
10. To stationery, printing and advertisement	Rs.		
11. To other expenditure	Rs.		
12. To balance of profit	Rs.		
	----		----
Total	Rs.	Total	Rs.
	----		----

STATEMENT OF OBJECTS AND REASONS

A Conventional Chit is an old indigenous financial institution involving regular periodical subscriptions by a group of persons. It is in law, a contract between the subscribers and the foreman which provides that the subscribers shall subscribe a certain sum by periodical installments for a definite period. Each subscriber shall, in his turn, as determined by lot or by auction or in such other agreed manner be entitled to prize amount. There will be as many prizes as there are members. As there is a mutuality of interest among the small number of subscribers to each chit fund, it constitutes a convenient instrument combining savings and borrowing.

There is a need to regulate the chit fund institutions in the State so as to prevent such institutions from taking advantage of absence of any law governing Chit Fund and protecting the interest of depositors.

Hence the Bill.

MINISTER INCHARGE FINANCE.

**MEMORANDUM REGARDING DELEGATED
LEGISLATION**

Clause 89 of the Chit Fund Bill confers on the powers upon the Government to make rules for giving effect to the provisions of the Act. The said delegation is of normal condition.

MINISTER INCHARGE FINANCE.

FINANCIAL MEMORANDUM

The proposed Bill provides for a legal framework to regulate within the State of Jammu and Kashmir the business of chit fund so as to prevent Chit Fund Institutions from taking advantage of absence of any law governing the chit funds and protecting the interests of depositors as such. The Bill does not involve any expenditure out of consolidated fund of the State.

MINISTER INCHARGE FINANCE.

RECOMMENDATION OF THE GOVERNOR

The Governor has in pursuance of sub-sections (1) and (3) of section 84 of the Constitution of Jammu and Kashmir recommended to the Jammu and Kashmir Legislative Assembly the introduction and consideration of the Bill.

(Sd.) **M. RAMZAN,**

Secretary.